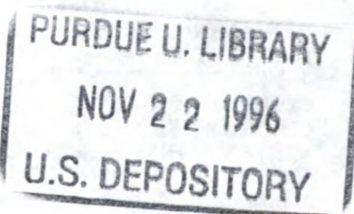


HSSC
DOC

Y 4.G 74/7:SE 2/12/996-3

SECURITY OF FBI BACKGROUND FILES
JULY 17, 1996



HEARING
BEFORE THE
COMMITTEE ON
GOVERNMENT REFORM
AND OVERSIGHT
HOUSE OF REPRESENTATIVES
ONE HUNDRED FOURTH CONGRESS
SECOND SESSION

JULY 17, 1996

Printed for the use of the Committee on Government Reform and Oversight

DOC

Y 4.G 74/7:SE 2/12/996-3

DOC
Y 4.G 74/7:
SE 2/12/996-3



COMMITTEE ON GOVERNMENT REFORM AND OVERSIGHT

WILLIAM F. CLINGER, JR., Pennsylvania, *Chairman*

BENJAMIN A. GILMAN, New York
DAN BURTON, Indiana
J. DENNIS HASTERT, Illinois
CONSTANCE A. MORELLA, Maryland
CHRISTOPHER SHAYS, Connecticut
STEVEN SCHIFF, New Mexico
ILEANA ROS-LEHTINEN, Florida
WILLIAM H. ZELIFF, JR., New Hampshire
JOHN M. MCHUGH, New York
STEPHEN HORN, California
JOHN L. MICA, Florida
PETER BLUTE, Massachusetts
THOMAS M. DAVIS, Virginia
DAVID M. MCINTOSH, Indiana
RANDY TATE, Washington
DICK CHRYSLER, Michigan
GIL GUTKNECHT, Minnesota
MARK E. SOUDER, Indiana
WILLIAM J. MARTINI, New Jersey
JOE SCARBOROUGH, Florida
JOHN B. SHADEGG, Arizona
MICHAEL PATRICK FLANAGAN, Illinois
CHARLES F. BASS, New Hampshire
STEVEN C. LATOURETTE, Ohio
MARSHALL "MARK" SANFORD, South
Carolina
ROBERT L. EHRLICH, JR., Maryland

CARDISS COLLINS, Illinois
HENRY A. WAXMAN, California
TOM LANTOS, California
ROBERT E. WISE, JR., West Virginia
MAJOR R. OWENS, New York
EDOLPHUS TOWNS, New York
JOHN M. SPRATT, JR., South Carolina
LOUISE MCINTOSH SLAUGHTER, New
York
PAUL E. KANJORSKI, Pennsylvania
GARY A. CONDIT, California
COLLIN C. PETERSON, Minnesota
KAREN L. THURMAN, Florida
CAROLYN B. MALONEY, New York
THOMAS M. BARRETT, Wisconsin
BARBARA-ROSE COLLINS, Michigan
ELEANOR HOLMES NORTON, District of
Columbia
JAMES P. MORAN, Virginia
GENE GREEN, Texas
CARRIE P. MEEK, Florida
FRANK MASCARA, Pennsylvania
CHAKA FATTAH, Pennsylvania
BILL BREWSTER, Oklahoma
TIM HOLDEN, Pennsylvania
ELIJAH CUMMINGS, Maryland

BERNARD SANDERS, Vermont
(Independent)

JAMES L. CLARKE, *Staff Director*
KEVIN SABO, *General Counsel*
JUDITH MCCOY, *Chief Clerk*
BUD MYERS, *Minority Staff Director*

CONTENTS

Hearing held on July 17, 1996	Page 1
Statement of:	
Libonati, John, Supervisory Special Agent with the U.S. Secret Service; Jeffrey Undercoffer, Special Agent with the U.S. Secret Service for Access Control Branch; and Arnold Cole, Special Agent with the U.S. Secret Service, Supervisor of the Access Control Branch	46
Letters, statements, etc., submitted for the record:	
Burton, Hon. Dan, a Representative in Congress From the State of Indi- ana, prepared statement of	213

SECURITY OF FBI BACKGROUND FILES JULY 17, 1996

WEDNESDAY, JULY 17, 1996

HOUSE OF REPRESENTATIVES,
COMMITTEE ON GOVERNMENT REFORM AND OVERSIGHT,
Washington, DC.

The committee met, pursuant to notice, at 9:55 a.m., in room 2154, Rayburn House Office Building, Hon. William F. Clinger, Jr. (chairman of the committee) presiding.

Present: Representatives Clinger, Burton, Morella, Shays, Schiff, Ros-Lehtinen, McHugh, Horn, Mica, Blute, Davis, McIntosh, Fox, Tate, Chrysler, Gutknecht, Souder, Martini, Shadegg, Flanagan, Ehrlich, Collins of Illinois, Waxman, Lantos, Wise, Spratt, Kanjorski, Condit, Peterson, Thurman, Maloney, Barrett, Moran, Green, Fattah, Brewster, Holden, and Cummings.

Staff present: James Clarke, staff director; Judy Blanchard, deputy staff director; Kevin Sabo, general counsel; Jonathan Yates, associate general counsel; Edmund Amorosi, director of communications; Judith McCoy, chief clerk; Teresa Austin, assistant clerk; Barbara Olson, chief investigative counsel; Barbara Comstock, special counsel; Joe Loughran, investigator/professional staff member; Laurie Taylor, Kristi Remington, investigators; Michael Donohue, press assistant; David Jones, Kip Lady, staff assistants; David Schooler, minority chief counsel; Ronald Stroman, minority deputy staff director; Donald Goldberg, minority assistant to counsel; Dan Hernandez, Liza Mientus, Mark Stephenson, Kimberly Williams, minority professional staff; Eddie Arnold, minority public affairs officer; Ellen Rayner, minority chief clerk; Cecelia Morton, minority office manager; and Jean Gosa, minority staff assistant.

Mr. CLINGER. The Committee on Government Reform and Oversight will come to order.

Over the past month, the White House has provided several conflicting explanations about how it obtained hundreds of FBI background files in the fall of 1993 and the winter of 1994. The FBI Director has acknowledged that these were, in his words, egregious violations of privacy.

The White House initially released statements from Craig Livingstone's attorney claiming that these activities of Livingstone and Marceca were all an, quote, innocent mistake. Why did the White House so quickly endorse the explanations of Mr. Livingstone and Mr. Marceca before getting all of the facts?

It is troubling that this White House is now trying to shift the blame from its own, I think, clearly incompetent appointees whose claims to fame include deploying Chicken George at campaign

events and taking the Fifth Amendment, to the Secret Service whose mission it is to protect the President and his family.

Why would the White House scapegoat the Secret Service for what seems to me abundantly clear, to cover its own shortcomings?

Whatever the reason for the White House's assorted and conflicting explanations of the past month, it is clear that the Secret Service wasn't at fault, as evidenced by Craig Livingstone's own statement to Special Agent Arnold Cole, who is with us this morning, which he made on June 7, when he said, "We just wanted you guys to know that we weren't blaming the Secret Service. Using an old list was our fault, and we had the current stuff you guys gave us. I don't know what happened." That is sworn testimony from a decorated Secret Service agent.

The Secret Service has spent an extraordinary amount of time and resources carefully reviewing the quality of the information it provided to the White House. Countless hours have been dedicated to examining if any material it provided to the White House could have been responsible for the hundreds of improperly requested FBI background files. As I understand it, the Secret Service could not identify any systemic problems which would explain how this happened.

Over the past month, the Secret Service has been forced to defend itself against a media campaign from, quote, off-the-record White House sources and surrogates suggesting that it is the Secret Service, not the White House staff, which is to blame for the alleged snafu. This was the same "blame everybody but us" staff which allowed interns without clearances to browse through the file storage room containing the FBI background files.

For some inexplicable reason, after discovering this colossal mistake, the staff decided to throw out the one piece of supposed exculpatory evidence which would have explained or presumably could have explained the bureaucratic snafu. Incredibly, the list that presumably explained the snafu was placed in a burn bag. Why, upon discovering such a mistake, would someone destroy the evidence which might explain that mistake?

Today we will learn that no list, no list of active pass holders, could possibly have been created by the Secret Service that could explain how Anthony Marceca, the man who has taken the Fifth Amendment before the Senate the other day, got 476 FBI background files of former Reagan and Bush officials. At any rate, no combination of errors attributed by the White House to the Secret Service can explain how and why Mr. Marceca obtained the FBI files.

Even if Mr. Marceca had used a Secret Service list combining active and inactive pass holders, the active and inactive pass holders were identified as A or I. As the Secret Service witnesses will explain to us today, most of the FBI background files Mr. Marceca sought between December 1993 and early 1994 involved inactive pass holders. Two hundred and seventy-seven of the files would have been identified as inactive on any—any—list created by the Secret Service in the calendar year 1993. Craig Livingstone, Mr. Marceca's supervisor, had been fully briefed on the lists and knew that it was only appropriate to seek the files of active pass holders.

Therefore, the only list that could have resulted in Mr. Marceca's obtaining all of the 476 names which will be addressed today is a list of both active and inactive pass holders. In using such a master list, he would have had to deliberately order the files of people identified as inactive. Mr. Marceca has claimed in his prior deposition that he thought the designations "A" and "I" on the Secret Service lists meant "access" and "interns."

Mr. Marceca would have us believe that when he ordered the FBI background files of such people as Ken Duberstein, A.B. Culvahouse, and Tony Blankley, and hundreds of other Bush and Reagan officials, he thought he was ordering the files of holdover interns from the Bush and Reagan administration.

Can anyone seriously believe that Mr. Marceca, who we know was a long-term, very active Democratic Party worker, thought the Clinton administration wanted to keep interns who were in their thirties and forties and older and just happened to have the same names as prominent Republicans on board as interns? This was the White House which threw out Billy Dale and the Travel Office because they weren't, quote, our people.

Meanwhile, Mr. Marceca's own handwritten notes indicate that intern files were supposed to be in red folders and White House staff files in orange folders, and what color were all of those folders Mr. Marceca collected? The FBI has informed us that the folders containing these files were orange; in other words, that they were White House staff files.

When you weigh the dubious explanations of characters of even more dubious reputation for the jobs that they held, you have to ask why we are spending so much time talking about the Secret Service lists.

The White House would like us to continue to go into this minutiae and talk about the lists and point the finger at the Secret Service while ignoring the two characters who orchestrated this debacle. Craig Livingstone and Anthony Marceca are emerging as more shadowy figures with far more partisan and questionable backgrounds than the White House ever acknowledged.

On Monday, Mr. Marceca refused to provide subpoenaed documents to this committee, claiming Fifth Amendment privilege over any documents that he may have relating to this matter. I am looking forward to hearing from the Secret Service today. The more we learn, it becomes increasingly apparent that the White House knew exactly who it was hiring for these sensitive positions.

Craig Livingstone's own resume boasted of his experience in campaign, quote, counterevents activities. The Secret Service itself raised red flags with the White House about Craig Livingstone as an employee at the White House, never mind as the choice for the head of the very sensitive Security Office. Livingstone's background should have been a concern of anyone who treated these matters with a modicum of seriousness.

Similarly, Mr. Marceca's background was such that once it was known, once his background was known, he was not kept on as a detailee, although, inexplicably, he still had access to the White House for months thereafter, after the termination of his detail.

Why didn't the White House review Mr. Marceca's background before allowing him to order and review hundreds of FBI back-

ground files? It really owed this to its own people, never mind the hundreds of Bush and Reagan people who had their files rifled through. But Mr. Kennedy allows both of them free rein to these sensitive files and said he had no concerns about either of them. You have to ask yourself what this says about serious officials in the White House.

And during it all, Mr. Livingstone was awarded a 40 percent salary increase—40 percent—while keeping what appear to be banker's hours. In a particularly audacious August 1995 memo to former White House Counsel Abner Mikva, Livingstone claimed he had seen his office, quote, through a few storms and it would be wrong not to approve my request for a \$12,500 salary increase, not just because I was promised but because I have demonstrated that I deserve it.

In another memo he claimed that his \$57,500 salary forced him to live paycheck to paycheck. Mr. Livingstone continued, "I apologize for my tone, but this is my last try to remain part of the team." Why was it so important to this White House that Mr. Livingstone remain on the Clinton team?

Apparently, Craig Livingstone was a valued team player, because he did obtain his raises. He even was provided with a coveted private office in recent months, and yet today, today, we can't find anyone who will acknowledge ever knowing him well and no one admits to hiring him.

Conveniently enough, the White House points the finger at the deceased Vince Foster. And while no one will yet claim responsibility for hiring him, the more interesting question may be, why couldn't or didn't anyone fire him? Even after this story broke, no one at the White House fired him. He finally really fired himself by resigning.

Now we learn that even then-Democratic Senate Intelligence Committee Chairman DeConcini subsequently sent his senior intelligence staff to make recommendations which included placing a serious and professional director in this sensitive office, a recommendation which was ignored and certainly never acted on.

Perhaps none of this would ever have happened if those in charge at the White House had responded in a responsible way to any of the numerous red flags that were raised in this situation. Now, the White House also doesn't want us to focus on the fact that the White House was having serious problems getting its own people through the background investigation process while the wildly inappropriate duo of Livingstone and Marceca gathered the files of hundreds of former Reagan and Bush officials.

The story that the White House doesn't want to talk about gets curiouser and curiouser. Instead of exploring more about Mr. Livingstone and Mr. Marceca and their sponsors at the White House, the administration continues to point fingers and lay blame elsewhere. Since the American people have not bought its defense of, "We are only incompetent," the White House is trying to accuse others now of incompetence. Today, I think and I hope we will dispense with one red herring in this case and move on to finding out why these individuals sought these files and ultimately for what reasons.

We have three witnesses appearing before the committee today, all of whom are veteran and highly decorated and esteemed Secret Service agents who have been involved in reviewing the information the White House and Secret Service rely upon to control access to the White House complex.

While they do not, as I understand it, have prepared testimony, I understand that Special Agent Libonati does have some opening remarks, for which he will be recognized after an opening statement from the distinguished gentlewoman from Illinois, Mrs. Collins. And all other members who have opening statements may use part or all of their 5-minute period during this round to make those statements.

Before recognizing Mrs. Collins, I would ask unanimous consent that the depositions of the witnesses which were taken in recent weeks appearing before us today be made a part of the hearing record. And without objection, so ordered.

[The information referred to follows:]

COMMITTEE ON GOVERNMENT REFORM AND OVERSIGHT,
U.S. HOUSE OF REPRESENTATIVES,
Washington, D.C.

IN THE MATTER OF: WHITE HOUSE TRAVEL

DEPOSITION OF JOHN LIBONATI

WEDNESDAY, JULY 10, 1996
Washington, D.C.

The deposition in the above matter was held in Room 2203, Rayburn House Office Building, commencing at 2:00 p.m.

Appearances:

Staff Present for the Government Reform and Oversight Committee: Barbara Olson, Chief Investigator; Barbara Comstock, Special Counsel; Laurie Taylor, Investigator; and Daniel Hernandez, Minority Professional Staff.

For JOHN LIBONATI:

WILLIAM E. CLANCY, ESQ.

U.S. SECRET SERVICE

Office of the Chief Counsel

1800 G Street, N.W.

Washington, D.C. 20223

Ms. COMSTOCK. We are on the record this afternoon for the deposition of John Libonati.

We want to provide you with brief information concerning the investigations. Pursuant to authority under Rules 10 and 11 of the House of Representatives, the Government Reform and Oversight Committee is investigating the White House Travel Office matter and related issues, events leading up to the firings and the various investigations that have been conducted of the firings and related activities.

The investigation also encompasses the activities of Harry Thomason, Darnell Martens and Penny Sample at the White House, as well as allegations of wrongdoing concerning the Travel Office employees.

We are reviewing actions taken by the FBI and Justice Department both prior to and after the firings, as well as issues relating to the White House receiving FBI background investigations on prior administration officials and also ongoing, current, holdover employees.

The investigation includes but is not limited to the investigation and prosecution of Billy Dale and related matters. Various investigations that have been conducted are the White House Management Review, the FBI and Justice reviews, both criminal and OPR at Justice, also IRS and Treasury Department internal reviews, a GAO review and a U.S. House of Representatives Resolution of Inquiry in July of '93.

The committee has been granted specific authorization to conduct these depositions pursuant to House Resolution 369 which was passed by the House of Representatives on March 7, 1996, and pursuant to committee Rule 19 which we need

to provide to you so you have it today. Both Majority counsel and Minority counsel will be afforded an equal opportunity to pose questions to each witness.

As we are proceeding, if you have any questions that you need to ask me about the questions that I ask you, or clarification, you can talk with your counsel or check with me. Any objections, we would like to have stated for the record, and there are some areas that we may need to resolve in writing.

It is a 5-day time period in which you can review your deposition, once it has been transcribed, to correct any problems in it or any changes that might be needed.

You are here today voluntarily and not by subpoena?

Mr. LIBONATI. That is correct.

THEREUPON, JOHN LIBONATI, a witness, was called for examination by Counsel, and after having been first duly sworn, was examined and testified as follows:

EXAMINATION BY MS. COMSTOCK:

Question. I just want to directly go into the issue of the FBI files and the various lists that have been—strike that.

I believe this was the first list that was provided by the White House, which was dated at the top January 20, 1993.

Answer. That is correct.

Question. It begins with Abdoo and ends with Julie Goldberg. This was the second list which began with Carol—something, A-A-R-O-S, and ends with Glen. Are those the two lists essentially we are working off of in reviewing the work that you all have done?

Answer. They appear to be; that is correct.

Question. If you could, just explain to us essentially how the names that came up on these two lists could not have been produced from Secret Service active lists.

Answer. Okay. In reviewing these lists, there are several methods by which to do that. Obviously there are technical computer audits which I think would be better addressed by the people that conduct those.

To begin with, many of the people on this list were made inactive between the time periods of 1984 and 1989. The E-PASS system was not installed until '89, so these people were passholders by a different system and not by a computer system.

Question. If we could back up, were you at the White House?

Answer. I was Branch Chief of the, at that time commonly known as the Pass Section, but it is the Access Control Branch. I was the Branch Chief from early '89 until the end of 1991.

Question. So you were there when the system changed over?

Answer. That is correct. I was the supervisor in charge of—there was a Project Manager, and I was the supervisor in charge of the branch.

So in 1989 the system was installed. All of the people from this list that went inactive from '84 up to and through '89 were downloaded into the E-PASS computer system as inactive passholders in bulk. So I believe the number of 94, as indicated on this chart, it was downloaded en masse as inactive passholders.

In discussing these 94 people with our technical auditors, they indicated that these 94 people were made inactive in that time period and that they were never made active since that time period. Perhaps to best illustrate that would be to cover or to review the printouts that are generated from E-PASS, whether they were inactive printouts or active printouts, any printouts that would indicate the status of these people would be a good judge of whether or not they, in fact, were downloaded and remained inactive.

On an inactive list which was recovered in August '91, 182 people from this subject list, the combined two lists that were provided to us, 182 of those people were reflected on this inactive passholders list, and included amongst the 182 were the 94 people that were downloaded between '84 and '89. So we know up to this point in time that these 94 and the additional, adding up to 182 from this list, were inactive as of August '91.

We move on to an active passholders list, generated by the same computer system, and that list was recovered and was dated May 2, 1993. It is an original.

On that active passholder list, 368 of the people from these two combined lists were not on that list and should not have been on those lists, because if they were inactive, they would not appear on an active passholder list. Amongst these 368 were the 94 people that were downloaded in 1989, which shows clearly that that inactive status has remained. In addition to the audits, we have these computer printouts that were generated, be they inactive or active. Again, we have consistency.

If we then move on to a list that we recovered, an active passholder list, and the date of that list was July 8, 1993, an original WAVES printout from the same system, 379 of the people from these combined two lists, if they were active, would have appeared on the July 8th list, and in fact they did not and they should not. Amongst the 379, if you worked back to the 94 people downloaded in 1989, they were not on that active passholder list. If they were active, they would have appeared on these two 1993 lists; if they were inactive, they would have appeared and did appear on the August '91 list.

In addition to technical audits that were conducted to check on the status of these people, we recovered original lists generated from those computer databases and those printouts clearly reflect that the vast majority of people on this list that were inactive people were accurately reflected as inactive and we can conclude that in fact they did not appear on active lists during this time period, and would have appeared on any inactive list during this time period.

Question. So any master list that would have included active and inactive would have had—as of July 8th, would have had—379 of these people would have been listed as inactive?

Answer. As inactive, and on the master list to which you refer, that status is reflected by an "A" or an "I", "A" meaning active, "I" meaning inactive. That master list is approximately 24,000 names of active and inactive passholders going back to approximately 8 years, and these people would have been on that list as inactive passholders. So yes, they would have been on a list, but reflected with the "I" as inactive under this field status.

Question. From the printouts, when there are printouts on these computer-generated sheets from the Secret Service, they have dates on them?

Answer. The batch date. The day the computer printout is generated, that date would be reflected on that printout.

Question. So any list that you would have given to anyone in the Office of Personnel Security—

Answer. Would have a run date.

Question. If someone had wanted to look at, do I have an outdated list here or not, they could have looked at the run date?

Answer. That is correct. Even that term would perhaps be inaccurate, because if someone were to recover a list from this date, even today, while the list is old, the information relative to that time period was reflected accurately. So the term "outdated" might mean that it is a list from a date past, but nevertheless the information contained on the lists that we recovered was accurate for that time period.

Question. Now, there are other people who were A to Gs who are inactive, other than people who were on this list, right; in the big master list there would be others—I notice in the Senate testimony Senator Abraham noted that he would have been on a master list as inactive as of whatever date.

Answer. Yes. There are other inactive people on that list within the field A-A to G-O on the general list; that is correct.

Question. In the past month or so since these—the existence of these FBI files having been inappropriately gathered for whatever reason by the White House Office of Personnel Security, have you had any discussions with Craig Livingstone?

Answer. No, I have never had any discussions to my recollection with Mr. Livingstone.

Question. Did anyone from the White House Counsel's Office ever contact you to talk to you about these matters?

Answer. No, I have not had a contact with them.

Question. Or any of Mr. Livingstone's attorneys?

Answer. No.

Question. Do you have any knowledge of any problems that arose with the Secret Service dealing with Craig Livingstone at any time?

Answer. Not that I am aware of. That would not be something I would be aware of.

Question. Did your office ever work with George Saunders? Do you know what George Saunders did in terms of dealing with the files?

Answer. During my time period Mr. Saunders conducted security briefings of people that were coming on board at the White House and played that kind of a role in relation to the White House Office of Security.

Question. Did Mr. Saunders ever raise with you any issues with the new administration and them not moving files along?

Answer. I was only there until 1991. I left that position during the previous administration, so I would have had no dealings with him as it relates to the current administration.

Question. But did he ever in the context of the current administration have conversations with you?

Answer. No. I haven't conversed with him that I can recall since I left that position.

Question. Would it be correct that there was no active list produced by the Secret Service at any time, I guess going back to 1989 or I guess 1984, because some of these people are from 1984, that could have produced all of these 477 names as active?

Answer. It would be my conclusion that the Secret Service databases would not have reflected nor produced or generated a list that would have had all of these people listed as active from the time the 94 names were downloaded in 1989 even up to the current time.

Ms. COMSTOCK. Do you have anything?

Mr. HERNANDEZ. Just about his background.

EXAMINATION BY MR. HERNANDEZ:

Question. You worked in the White House until 1991 and have not been there since then?

Answer. I worked in that particular position from February of 1989 to late 1991 as Branch Chief of the Access Control Branch. I have not held a position at the White House complex since that time.

Mr. HERNANDEZ. Okay. Thank you.

EXAMINATION BY MS. COMSTOCK:

Question. Were you at all involved with the GAO doing the review of the White House passes and security clearances?

Answer. I am familiar with it, but I was not involved in the study personally.

Question. Were you aware of any meetings that the Secret Service had with the White House at the time of the GAO reviews, I guess it was initiated in March of 1994 and going throughout 1995 in terms of trying to make changes or—

Answer. I wouldn't have any firsthand knowledge of that.

Question. I guess that is all I have for you. We covered most of the other things elsewhere. Thank you.

Ms. COMSTOCK. I would like to make the two lists that were provided of 476 files Exhibit 1 to the deposition.

[Libonati Deposition Exhibit No. 1 was marked for identification.]

[Whereupon, at 2:20 p.m., the deposition was concluded.]

COMMITTEE ON GOVERNMENT REFORM AND OVERSIGHT,
U.S. HOUSE OF REPRESENTATIVES,
Washington, D.C.

IN THE MATTER OF: WHITE HOUSE TRAVEL

DEPOSITION OF ARNOLD A. COLE

WEDNESDAY, JULY 10, 1996
Washington, D.C.

The deposition in the above matter was held in Room 2203, Rayburn House Office Building, commencing at 12:20 p.m.

Appearances:

Staff Present for the Government Reform and Oversight Committee: Barbara Olson, Chief Investigator; Barbara Comstock, Special Counsel; Laurie Taylor, Investigator; Donald Goldberg, Minority Assistant to Counsel; Daniel Hernandez, Minority Professional Staff.

For ARNOLD A. COLE:

WILLIAM E. CLANCY, ESQ.
U.S. SECRET SERVICE
Office of the Chief Counsel
1800 G Street, N.W.
Washington, D.C. 20223

THEREUPON, ARNOLD A. COLE, a witness, was called for examination by Counsel, and after having been first duly sworn, was examined and testified as follows:

Ms. COMSTOCK. I am just going to give a little deposition opening that we read to everyone, just to give you a little background on this.

We are on the record this morning for the deposition of Arnold Cole from the Secret Service, which will be administered under oath. My name is Barbara Comstock; I am Majority Investigative Counsel. With us today is our Chief Investigative Counsel, Barbara Olson; and our assistant, Laurie Taylor, will be here, and Dan Hernandez from the Minority staff, and I believe Don Goldberg will be joining us at some point.

I would like to provide you with some background information concerning this investigation. As you know, pursuant to its authority under Rules 10 and 11 of the House of Representatives, the Government Reform and Oversight Committee is investigating the White House Travel Office matter and related issues. This matter refers to all events leading up to the May 19, 1993, firings of the White House Travel Office employees and includes all information provided about the White House Travel Office and any employees at the White House Travel Office at any time from January 1st, 1993, to the present.

Our investigation also encompasses the activities of Harry Thomason, Darnell Martens and Penny Sample at the White House, as well as allegations of wrongdoing concerning the Travel Office employees.

The committee investigation is reviewing all actions taken by any division or field office of the FBI and the Department of Justice both prior to and after the firings, as well as issues relating to the White House's receipt of FBI background investigations on prior administration officials. The investigation includes, but is not limited to, the investigation and prosecution of Billy Ray Dale and all investigations and subsequent reviews of the Travel Office firings by any agency, including, but not limited to, the White House Management Review, all FBI and Justice Department reviews, the IRS and Treasury Department internal reviews and reports, the GAO review, as well as the proposed U.S. House of Representatives Resolution of Inquiry considered and voted on in the House Judiciary Committee in July 1993.

I understand that a lot of these matters do not apply to areas of knowledge that you have, but do you understand that your answers should include all information which you have about these subjects?

The WITNESS. Yes.

Ms. COMSTOCK. The committee has been granted specific authorization to conduct this deposition pursuant to House Resolution 369 which was passed by the House of Representatives on March 7, 1996. Pursuant to committee Rule 19, which has been provided to you, both the Majority counsel and the Minority counsel will be afforded equal opportunity to pose questions to each witness.

You are here today voluntarily and not by subpoena; is that correct?

The WITNESS. Not by subpoena, but I was ordered by Secretary Rubin of the Treasury to make myself available.

Ms. COMSTOCK. Okay. As we are going through, if you want to confer with counsel at any time, you know, please stop me, and you will have an opportunity to confer with counsel. If you don't understand a question, please let me know and I will try to rephrase it and discuss any issues connected with that.

It is asked that objections raised by your attorney be stated for the record. You will be given a 5-day time frame in which you can review your deposition, once it has been transcribed, to correct any technical problems or any changes in from information that you learned at a later time. If the 5 days is any problem, we have been able to work that out also.

Do you have any questions before we get started?

The WITNESS. Not at this time.

EXAMINATION BY MS. COMSTOCK:

Question. Mr. Cole, could you just state—just a history of your job history from college forward?

Answer. From college forward. All right.

After I graduated from college in 1974, June of 1974, I worked briefly for the Brooklyn criminal courts.

I applied for a job as a Treasury agent. I obtained that job in February of 1975. I started as a Special Agent with the Bureau of Alcohol, Tobacco and Firearms. I worked for approximately 7½ years, at which time I was employed by the Secret Service as a Special Agent. I believe that was in February of 1982, I came on board as a Secret Service agent, and I have been working as a Secret Service agent through the present.

Question. Okay. And you were a supervisor of the White House Access Control Branch; is that correct?

Answer. That's correct.

Question. And when did you begin that position?

Answer. I started that position, jogging my memory, sometime in 1991, prior to the election in 1991. I would have to say May of 1991. But I will check my records. I can't give you the exact time.

At that time, I was assistant to the Special Agent in Charge assigned to the Protective Research Technical Security Division of the Secret Service, and that branch fell under that discipline at that time.

Subsequently, the Access Control Branch was formulated into the White House division in March of 1994, and I have been reassigned to the position of Assistant Special Agent in Charge, or that change was made, and I have been doing that job to the present.

Question. Okay. Could you describe what the change was in March of 1994?

Answer. Well, prior to 1994, we had the Access Control Branch that worked in the White House; we had the White House Security Coordinator, who was responsible also for security in the White House; you had WAVES, which is the Workers Appointments and Visitors Entry System, which was part of the Uniformed Division of the Secret Service.

There came a time when they thought that the White House would be better served if they combined all of those agencies and create a division, so they created what they call the White House Division, which encompasses the Access Control Branch, WAVES, and the White House Security Coordinator.

Question. And who is the White House Security Coordinator?

Answer. At that time that came under—well, Buck Tannis was the White House Security Coordinator back in, I believe, 1991, 1992; and then—

Question. And is he Secret Service?

Answer. Yes. This is all Secret Service. And then that was dissolved, and it came under the Protective—PPD, Presidential Protective Division and agents who were assigned to that division acted as the White House Security Coordinator. Am I confusing you?

Question. No. I just wanted to find out what the change was.

Answer. But for obvious reasons, it was better served to put everything into one division, and function as one, as opposed to separate entities.

Question. That was a decision made by Treasury?

Answer. That was a decision made at the Secret Service headquarters.

Question. In 1993—or actually, why don't I move back a little?

After the election in 1992, during the transition, did you meet with any Clinton officials regarding security matters?

Answer. Yes.

Question. And who would that be?

Answer. After the election, I met with Alexis Herman, who at that time was the deputy to Vernon Jordan, part of the transition team, to discuss—to identify points of contact or key individuals for the transition into the White House.

Question. Okay. And you explained to them the background process?

Answer. Well, not—I didn't explain that to Alexis Herman.

Question. And who were the points of contact that were identified to you to discuss this with?

Answer. Point of contact identified to me was David Watkins, who was going to be the key transition person.

Question. And then did you meet with him in January, was it?

Answer. I met, without really jarring my memory correctly, I met with him on several occasions prior to January 20th, 1993.

Question. And what did you discuss with Mr. Watkins?

Answer. Well, basically the importance of identifying the people who would be needed to come into the White House on January 20th, would it be necessary to obtain passes for these individuals; the importance of having them identified so that the criminal record checks could be done; the requirements, the security requirements necessary to enter the White House complex. Basically that would be what I discussed with him.

Question. And did you discuss with him who would be in place, heading up the Office of Personnel Security—I guess the Office of Security, as it was called at that time?

Answer. Well, that discussion came primarily after the January 20th. And basically, Jane Dannenhauer, who was already in place in that office, was their transition person for whomever was going to be her replacement.

Question. Okay. Did there come a time when you met Mr. Livingstone?

Answer. Yes, I believe that was sometime in February of 1993.

Question. And was he identified to you as Ms. Dannenhauer's replacement in the Office of Security?

Answer. He was identified that he would be—when she left, he would be her replacement.

Question. And who told you that?

Answer. Well, as I recall—I cannot recall whether it was Craig Livingstone, introducing him as that, or whether it was between Janet Green and David Watkins. I just can't jog my memory at this time specifically who told me that.

Question. So either David Watkins or Janet Green told you that Mr. Livingstone would be heading up that office?

Answer. Correct.

Question. And that was sometime in February of 1993?

Answer. Right.

Question. Were you aware of Craig Livingstone looking for other jobs besides this, or did you ever get a sense that he was not going to be staying on in that position in the security office?

Answer. Well, I recall having a conversation with Mr. Livingstone where he was seeking a position as head of the Military Office, Director of the Military Office in the White House, which would indicate to me that he was looking for other jobs.

Question. Do you recall when that conversation was?

Answer. Generally speaking, I just cannot recall the exact time frame.

Question. Were you—do you recall if it was in the spring of 1993, sometime in 1993?

Answer. It could have been; it could have been 1993 or 1994. I just—I just cannot focus in on that at this time. I just can't.

Question. Can you describe what the Military Office does?

Answer. Well, the Director of the Military Office handles all of the military operations as it relates to the White House. This is my understanding of it. You have White House communications, which is run by the military. You have the military aides, which are run by the military. The doctor for the President comes under the military. The trips—assets they use, Air Force One, the helicopter—all of that is run through the military. So every military asset in the White House is run by that office.

Question. Do they handle the nuclear football?

Answer. I wouldn't be able to tell you exactly.

Question. The briefcase or whatever it is?

Answer. I mean, that is a classified thing that you would have to talk to someone in the Military Office to get the proper—

Question. And what did Craig talk to you about the Military Office?

Answer. Well, my best recollection at this time would be that he would like to obtain that position, and that is all I can recall at this present moment.

Question. Was he asking you—was he just telling you, this is the job I want, or I may not be here, or do you recall the context of it?

Answer. No. He just basically indicated that he may not be in this position, and he may be getting that position, he was in the running for that position.

Question. So he discussed it in terms of he was in the running for that position?

Answer. That is my understanding.

Question. Did he say who he had talked to about it?

Answer. I can't recall specifically if he did or didn't tell me who he talked to.

Question. Do you have any general recollection if anyone was recommending him?

Answer. No, no.

Question. Or who he was asking to recommend him?

Answer. No. I can't recall any general—it would be speculation on my part. I don't want to speculate.

Question. This is a March 1st, 1993, memo to Bernie Nussbaum from David Watkins, and it is discussing—actually, Mr. Watkins is asking Mr. Nussbaum, please let me know when you have identified the new staffer to fill Ms. Dannenhauer's position. And it was discussing budgets.

I was just wondering if you recall in the time frame of March of 1993 if there was any discussion of having somebody other than Mr. Livingstone head up that office, if that refreshes your recollection.

Answer. Well, the one thing, without even looking at this first, that I can say is that I was very adamant with the transition team, the importance of identifying that person, because of the importance of that position in terms of obtaining permanent passes and what was involved with that process.

Let me just review this for a moment.

Question. Okay.

Answer. The only thing I can say to this is that the date, March 1st, would be consistent. I met Mr. Livingstone in late February of 1993, so this would be consistent with the time period when I was advised that he was getting that position. I mean, I think Craig Livingstone came on the last week of February, sometime in the last week of February of 1993, so that would be consistent with the time period.

Question. Okay. Do you know who you talked to in the transition team about identifying somebody for the security position besides Alexis Herman, if you talked to others?

Answer. Well, I didn't talk to Alexis Herman specifically about that position, I talked to the transition team; and a lot of these conversations would be in not a one-on-one form, because we would have meetings with the entire team.

Question. And who would be that team?

Answer. Three names I can think of off the top of my head would be David Watkins, Janei Green, Andrew Morin, M-O-R-I-N; and I want to say Clarissa Cerda was part of the transition team, and others, and I don't—without referring to any notes that I may have identifying who the team members are, I can't recall the other names.

Question. Do you have notes of some of those meetings?

Answer. I believe I do. I'd have to check to make sure, but I believe I do.

Question. Okay. If we could get copies of those notes.

Answer. I believe I do have some document that would—when the team was identified to me listing the names.

Question. I believe you had testified in the Senate that on March 31st, 1993, you convened a meeting of security officers?

Answer. Security officers.

Question. Can you describe that meeting?

Answer. Well, basically what we did—as a matter of fact, I have a copy of the document that I was referring to, is—if you don't mind, I will just read from this document.

Question. Sure.

Answer. "The purpose of the meeting is to have"—

Question. Why don't we get the date?

Answer. March 31st, 1993.

Question. Okay.

Answer. And this was prepared by one of the Special Agents who worked for me, John Gust, G-U-S-T, and basically outlining the meeting and the members who would be attending.

"The purpose of the meeting is to have all of the security officers meet new members of the administration and discuss any security issues pertaining to the White House complex." And then basically it would outline who was invited to attend that meeting.

Question. And who was—

[Discussion off the record.]

EXAMINATION BY MS. COMSTOCK:

Question. And who were the people attending that meeting?

Answer. Well, invited security officers, the representative from the President's Counsel's Office was William Kennedy, and Craig Livingstone.

We had—the Security Consultant was George Saunders.

From the Office of Administration was Chuck Easley.

The Secret Service was represented by myself, Don Flynn, Paul Imbordino, Dennis Martin, Maurice Craft, and George Walker.

Represented from the Federal Bureau of Investigation was Dennis Sculimbrene, Gary Aldrich, and Carolyn Weber.

From the military was Susan Bradshaw, Fred Twitty, Mark Olson, Jim DeCarlo, Les Leonard.

GSA was represented by Larry Handeland. NSC, National Security Council, was represented by Jim Farrell. Council of Economic Advisors was Elizabeth Kaminski. Intelligence Oversight Board is Joan Edwards.

Office of National Drug Policy was Ron Voight. Office of Science and Technology Policy was Barbara Ferguson. Office of Management and Budget was Jack Arthur and Darrell John. The President's Foreign Intelligence Advisory Board, Gwen Watson. United States Trade Representative, Cathy Hofgren.

And, basically, it describes an outline of the agenda.

Question. Okay. If you could just generally discuss, because we can put that document in the record, but if you can just generally discuss it?

Answer. Well, basically, we passed out a contact sheet and everybody would have to sign; an introduction—and the people we were really introducing was Bill Kennedy and Craig Livingstone, because they were the new players and we would give everybody an opportunity to speak concerning the security.

Don Flynn talked about White House security coordination; I spoke to the Access Control Branch and what my office was about. Paul Imbordino and Dennis Martin spoke on the Uniformed Division's role in the White House, and Dennis Sculimbrenne and/or Gary Aldrich spoke where the FBI was concerned. We would have a question-and-answer period and then we would set up the next meeting.

And to the best of my recollection, from my notes, we ran these meetings monthly all the way up through November. And we may have had some meetings during 1994, too; I just don't have any record of it.

Question. Okay. And this first meeting, do you recall the issue of people getting in their paperwork and passes—for passes, and that kind of thing discussed?

Answer. Well, we talked about—as I recall, we discussed making appointments, you know, what the difference is for the permanent passholder or a temporary passholder, someone on the access list, some of the problems that you may incur if you don't have a pass versus someone who does have a pass.

We discussed the importance of having the background investigations forwarded to us for people who we intended to give permanent passes to, so that they can get their permanent passes; and the fact that they would not be allowed to obtain a permanent pass until the Secret Service had an opportunity to review those backgrounds for dangerous issues as relates to our mission in the White House.

Question. How did the temporary passes—were the temporary passes issued after you did just the checks on your databases?

Answer. Well, the temporary passes were issued once the White House advised us that they wanted this person to have a pass, and there are certain checks that they have to do which I can't speak on specifically. But our requirement, we would do a criminal records check on that individual to make sure that there was no issue of our concern, and then they would be issued a temporary pass.

Question. Okay. And during 1993, according to—the GAO report that was issued on passes later in 1995 said that there were just constant renewals and extensions of temporary passes throughout 1993.

Very few, if any, permanent passes were issued in 1993. Is that your recollection? Do you recall discussing that?

Answer. Yes.

Question. Can you describe raising those issues, any concerns that you had about those issues?

Answer. Well, the obvious concern that we had from a security standpoint was that anyone with a temporary pass exceeding 90 days and they have close proximity to the President, we would want to know whether or not this person would pose a possible immediate or projected threat later on. So those were our concerns.

Question. And did you discuss those with anyone in the Counsel's Office?

Answer. Yes, we did.

Question. Who did you discuss that with?

Answer. Mr. Bill Kennedy.

Question. All right. And what did you tell him?

Answer. The importance of having the background investigations, if these people were intended to stay here, forwarded to the Secret Service for our review.

Question. Okay. When you had done just the records checks of individuals in 1993, prior to getting the permanent backgrounds of anyone, were there instances where there were people who you did turn up problems on, that you had to raise issues with Mr. Kennedy?

Answer. From our checks?

Question. Yes.

Answer. Nothing that I can recall at this time specific on record checks. I mean, we do thousands of record checks, but none specifically where I felt that I spoke with Mr. Kennedy on.

Ms. COMSTOCK. I did want to go ahead and make this March 31st, 1993, memo Exhibit 2.

Exhibit 1 is the March 1, 1993 memo, CGE 480604, was to Bernie Nussbaum from David Watkins regarding getting a replacement for Jane Dannenhauer in the Security Office.

[Cole Deposition Exhibit No. 1 was marked for identification.]

Ms. COMSTOCK. Exhibit 2 is Mr. Cole's memo of March 31, 1993.

[Cole Deposition Exhibit No. 2 was marked for identification.]

EXAMINATION BY MS. COMSTOCK:

Question. These memos are all reflecting meetings that you had with this group of security people?

Answer. Right. That is basically what it is.

Question. Do you recall discussing at any of these meetings the issue of these constant renewals of passes throughout 1993 and problems that they were presenting to you?

Answer. Well, what I can recall is discussing the fact that we wanted to have—we wanted to have the people identified who were going to have permanent passes. We wanted to proceed with that process and have them receive their permanent passes as soon as possible.

Question. Do you know when you received Craig Livingstone's file to get a permanent pass?

Answer. Not without checking our records to see that.

Question. Okay. If we could just request that we get that date checked for the record.

Do you know if you ever discussed that with Mr. Kennedy, the need to get perhaps his file and Mr. Livingstone's, since they were involved in this process, get those expedited and get those to you?

Answer. Well, I recall discussing that and everyone, you know, pretty much in the same frame, the importance of the senior staff to have theirs done as soon as possible, the importance of Mr. Livingstone to have his done as soon as possible.

Question. But you did not get Mr. Livingstone's file until—well, we don't have the exact date, but it seems sometime in either late 1993 or after—

Answer. It was late 1993, as I recall; I just don't have the specific date.

Question. And prior to that, the only check that had been done then on Mr. Livingstone would be the records check that you all had?

Answer. Would be the records check, right.

Question. Did anyone ever discuss with you any problems in Mr. Livingstone's background?

Answer. No one discussed it with me.

Question. Did you review Mr. Livingstone's file?

Answer. Yes, I did.

Question. And did you become aware of problems in his background?

Answer. Well, as far as derogatory information, yes.

Question. And did you express concerns to anybody, given his position, the nature of any information?

Answer. If you can, repeat that question; I am not clear on what you are asking.

Question. Did you discuss any of the derogatory information in Mr. Livingstone's file with anybody?

Answer. I raised my concern only as it pertained to security matters with the Secret Service, not dealing with any suitability issues whatsoever.

Question. Okay. So you raised it within the Secret Service?

Answer. Well, I raised it with, as I recall, it was raised with Mr. Kennedy.

Question. And do you recall what you discussed with Mr. Kennedy?

Answer. What I recall discussing with Mr. Kennedy was my concerns on the derogatory information and whether or not he concurred or not. That is basically what I discussed with him, and if it would pose a problem for him, for his office; and that is what I recall, and I don't think I am at liberty to discuss specifically what the derogatory information was.

Question. Okay. I think we will be—I think we have discussed this previously, and maybe what we will be doing is, we are probably going to be requesting additional questions from the Chairman to go into these matters, particularly as to Mr. Livingstone. He has testified himself about a number of these matters. So I believe we—I don't know if you want to—

Ms. OLSON. You don't want to do it now?

Mr. GOLDBERG. Just pose the questions, and that way you will have them, to use them to write the letter.

Mr. CLANCY. I think we are getting into an area that we indicated that we found somewhat troublesome. I think you are directing individual information that may go back to an individual file, and I think we are going to have to suggest what we did before; and that is, you can send your request, at your request respectfully to our person through the Secretary of the Treasury, and we will answer it that way.

Ms. COMSTOCK. Why don't I finish up with Mr. Kennedy though.

EXAMINATION BY MS. COMSTOCK:

Question. Did Mr. Kennedy share any of your concerns?

Answer. Well, I think, as I recall, he wanted to understand specifically what my concern was as it related to our mission; and that was explained to him, you know, why we viewed certain derogatory information, as remotely as it may seem, could pose a possible threat or danger as it relates to security at the White House.

And basically our concerns were satisfied, and ultimately Mr. Livingstone received his pass from the Secret Service.

Question. But you did discuss with Mr. Kennedy particular issues that you had concerns about from a security standpoint?

Answer. Yes.

Question. And can you describe those, what those concerns were?

Mr. CLANCY. Why don't we see what the question is.

Ms. COMSTOCK. Okay. So we will have that for the record, we will be going into that further.

EXAMINATION BY MS. COMSTOCK:

Question. Do you recall—I guess—was this after you received—whatever the date is when you received Mr. Livingstone's file, was this after that date, after you had physically reviewed his file, that you had this conversation with Mr. Kennedy?

Answer. Yes, yes, that's correct.

Question. And did you have an opportunity to review Mr. Kennedy's file?

Answer. Yes.

Question. And similarly, did you raise any concerns about Mr. Kennedy's file in a security context?

Answer. There was some information that was brought to my attention, but nothing that would preclude him to receive a permanent pass.

Question. From a security standpoint?

Answer. From a security standpoint.

Question. And that is separate from suitability in terms of how you are reviewing matters?

Answer. Right, right.

Question. And again, could you describe what those concerns were that you had about Mr. Kennedy?

Mr. CLANCY. I think Mr. Cole has testified that we are concerned about the degree of dangerousness to one of our protectees. I believe he indicated that he had made that evaluation and didn't see it there, but there was some other information.

Ms. COMSTOCK. Okay. We may have additional questions also then in terms of this.

EXAMINATION BY MS. COMSTOCK:

Question. When did you first receive any files on new Clinton administration White House employees?

Answer. My best recollection would be sometime in late 1993. But without checking our records, you know, to see when we first got them, it is very difficult to say, because what you have to understand is that the process is an ongoing process. So to really be sure who is new and who isn't, without checking specifically the person that you are referring to, I couldn't tell.

Question. Okay.

Answer. Because we are getting files constantly.

Question. I am talking generally with the new Clinton, you know, with the incoming people in 1993, were you getting any files for permanent passes for the new people in the spring of 1993?

Answer. Oh, no. Spring of 1993, no.

Question. Or the summer of 1993?

Answer. I would have to say late 1993 is my best recollection.

Question. Okay. So generally it wasn't until late 1993 that you got the new files?

Answer. Started to get them.

Question. Okay. The process is, the FBI does the initial background check that they then provide to the Counsel's Office?

Answer. That is correct.

Question. And then when you receive the file, it has been signed off, I guess at that time by Mr. Kennedy in 1993 or Mr. Livingstone?

Answer. Well, you could say Mr. Kennedy. I would just say the White House signed off on it. I mean, primarily Mr. Kennedy's office was the process that went to Craig Livingstone, and the request was sent over to my office.

Question. Okay. And Mr. Undercoffer had said that there was a form that came with the file saying, you know, please give the individual whose file is attached a permanent pass. Did you—

Answer. We—there were various—Craig Livingstone's office had a format, Chuck Easley's office had a different format, but basically it was a document requesting the issuance of a particular type of pass.

Question. And do you maintain those request forms?

Answer. Those forms would reside within the individual's file, hard file.

Question. That the Secret Service maintains?

Answer. Yes,.

Question. And you have a separate FBI file on the current passholders?

Answer. We have a copy of the summary that is forwarded to us from the Security Office which we incorporate into our file.

Question. Okay. As you were receiving those files in late 1993 into 1994, were you aware of files that had tax problems being forwarded to your office?

Answer. What I would say is, if I was aware of it, we would make no note of it simply because those are suitability issues and not security matters. So those are things, if I saw it, it is not a concern of ours, so I can't be specific on any one file.

Question. But I am just asking generally, do you recall seeing files that you reviewed that had nonpayment of taxes as an issue that was in their background?

Answer. I can't be specific whether it was nonpayment or whatever. I recall seeing files that had tax issues that basically went from one end of the scale with taxes or whatever the case may be. We never focused on tax issues, because they were suitability issues.

Question. Do you recall seeing any files that had any—that had been forwarded to you from the Counsel's Office or from Mr. Livingstone's office that had arrest records?

Answer. Yes.

Question. Could you roughly give us an estimate of how many there were?

Mr. GOLDBERG. Could I ask what the relevance of this is, just so you can state for the record?

Ms. COMSTOCK. Because we had very lengthy problems and delays in these areas, in trying to find out why we did; and all of these problems of passes were going on at the same time when they are seeking files of previous passholders, when they hadn't even done the backgrounds on their current passholders.

Mr. GOLDBERG. So that makes it relevant to the resolution? Is that what you are stating?

Ms. COMSTOCK. The issue of White House passes was discussed at length in the White House Management Review.

The WITNESS. Could you just repeat the question?

EXAMINATION BY MS. COMSTOCK:

Question. Were there—do you recall how many files you had seen that had arrest records?

Answer. I can't recall the number. It would vary. I am trying to think. I can't—

Question. Were there dozens, or do you know a ballpark figure?

Answer. I would say—I would have to base this number on the total complex, maybe one out of every 100 you would see an arrest record, to give you an example. At that time, I think it was 7,000 passholders, so I would just say one out of every 100.

Question. But I am directing it to the files that were coming in in late 1993, early 1994.

Answer. I would still say it would be one out of 100.

Question. Do you recall reviewing files that had any violent, assault or any kind of violent incidents?

Answer. Maybe one or two.

Question. And do you recall seeing files that had drug histories beyond college age or minor experimentation-type?

Answer. Yes.

Question. Do you recall how many of those there were?

Answer. There were several. I can't recall the exact number right at this second.

Question. Do you recall if there were lots of files that had—

Answer. Well, as I can recall, it was more than 10, without being specific. It was more than 10.

Question. Do you recall instances where there was very recent drug use of files that had been forwarded to you from Mr. Livingstone?

Answer. What would you call "recent"? Within the last five years, that would be recent.

Question. And so there were files?

Answer. Yes.

Question. Do you generally have a recollection of what type of drug use was involved here?

Mr. GOLDBERG. Again, could you state why that is relevant?

Ms. COMSTOCK. I am talking about extent of—

Mr. GOLDBERG. This is like pure political titillation rather than any relevancy to the Travel Office.

EXAMINATION BY MS. COMSTOCK:

Question. If you recall the extent, if this was extensive, habitual?

Answer. Well, I'm not a—I'm not the expert in terms of what you would call "habitual" or whatever. The only thing I can say is that it would vary from any type of illicit type of drug use and that is how we would view it.

Question. Did there come a time when the Secret Service initiated a program where they had individual random drug testing of individuals who had problem drug histories?

Answer. Yes.

Question. And do you recall when that was, when the program was initiated?

Answer. I want to say late 1994, November or December of 1994—I mean 1993, early 1994.

Question. And could you tell us how that came about?

Mr. CLANCY. As long as it is not going to identify any individuals. I just want to make sure that this doesn't direct to an individual.

Ms. COMSTOCK. I think, keeping the record open in terms of any questions we might want to ask in that area, I understand your objection, but if you could generally describe how the process of doing this came about.

The WITNESS. Well, basically, we raised our concerns over a certain pass request, based on our review of the background investigation, at the enclosed derogatory information which we were concerned with; and we raised those issues with White House Counsel, which was Bill Kennedy at the time, to find a way to mitigate our concerns so that these people could maintain their employment in the White House with a permanent pass. And that is how it came about.

EXAMINATION BY MS. COMSTOCK:

Question. And what were your concerns in that area?

Answer. Well, our concerns were that we felt that the derogatory information was such that it may compromise the security of the White House without some other mechanism in place to ensure that our concerns were just merely concerns.

Question. So these were individuals whom the White House wanted to have passes, and you raised these concerns; and then was this—how did this testing program, who had suggested that as a way of—

Answer. I think it was a compromise between both the White House and the Secret Service as a suggestion as to what would be amenable to both parties.

Question. Had people in the Secret Service suggested that some of these individuals not be given passes at any time?

Answer. Well, initially our response was that we denied them passes.

Question. So you had instances where you did deny pass requests?

Answer. Yes.

Question. Do you recall how many instances there were that you denied pass requests?

Answer. No, I can't recall the number.

Question. And then on these individuals where pass requests were denied, the White House came back and wanted to give them a permanent pass?

Answer. Well, I mean, that is part of the process. If we felt there was something wrong, we would go back and say, well, we think something needs to be resolved here, so initially we would deny the request, and they would come back and either correct something that is not correct for our understanding, or some of these issues would have to be mitigated so that—the primary mission that the Secret Service has is to protect the President, and that that is satisfied, because that is what our mission is. That is why we are there. And that is basically how the process worked.

You know, we may ask a question and the White House would either go back to the FBI to get an answer or whatever the case may be. So it is a back-and-forth process whenever there is something develops that is derogatory.

Question. But these individuals that were denied, though, did they end up ultimately getting a pass after this individual drug testing program was instituted?

Answer. Yes.

Question. And who made the decision whether someone was going to be part of this individual drug testing program?

Answer. Well, I think the decision, the objection came from the Secret Service, and the person—the person themselves would have to make that decision.

Question. "The person" being the individual involved?

Answer. Right, right. They would have to make a decision whether they were going to be part of it or not, ultimately, because it was voluntary.

Question. Who talked to them about whether or not they were going to be part of it?

Answer. Well, to my knowledge, no one from the Secret Service, so I can't speak on who.

Question. Did you have an understanding that the Counsel's Office would handle that?

Answer. Well, I mean the process was done through either Craig Livingstone's office or Counsel's Office, so I can't speak to that.

Question. It has recently come to light that Mr. Livingstone had an incident in November of 1993 where he had threatened a neighbor that if she didn't keep her dog quiet, he was going to, quote, beat your face in, was the complaint; and then when Mr. Livingstone was talked to by the police, he said that he did say that, but he knew he was wrong.

Did you ever know about the incident with Mr. Livingstone prior to this becoming public?

Answer. No, I can't recall that incident. I really can't.

Ms. COMSTOCK. We will make this Exhibit 3.

[Cole Deposition Exhibit No. 3 was marked for identification.]

EXAMINATION BY MS. COMSTOCK:

Question. Would that be the kind of information that would be of concern to you in terms of a person's background for security—

Answer. I guess.

Question [continuing]. Making threats against a woman?

Answer. Yes. Any threat.

Question. At any time did you ever become aware of Craig Livingstone making any threats against anybody at the White House?

Answer. No, I can't recall.

Question. Did you ever learn of him making threats against anybody while he was an employee at the White House?

Answer. No.

Question. In your opinion, would someone who made such a threat and acknowledged it be a suitable person to be in charge of the security program at the White House?

Answer. That is not for me to make that decision. That decision, who should be suitable to work in the White House, is left up to the White House.

Question. If that had come through in a file, is that a concern that you would have raised with the Counsel's Office?

Answer. I would have raised it.

Question. Would you have approved a pass for an individual who made such a threat?

Answer. It would be based on what the circumstances were; whether or not I would or would not approve each case is a case-by-case situation. So, in general terms, I can't answer that question.

Question. Can I assume that when—at whatever point Mr. Livingstone was talking to you about the Military Office, you had no knowledge of this incident where he had threatened his neighbor?

Answer. No. I can't recall. I don't recall it.

Question. I wanted to move into—recently, when the FBI files issue came to light, you have previously testified that Craig contacted you. I wonder if you could relate that contact that Craig made.

Answer. Well, Craig contacted me several times. Are you specifically talking about—

Question. Why don't we start with any time, if you could relate any contacts Craig made with you about the FBI files, specifically these files of Bush and Reagan officials that recently came to light that they were inappropriately gathered at the White House?

Answer. On June 7th I was advised that Craig Livingstone came to my office and he wanted to see me. And I guess the best thing I can do is just refer to my note that I used before the Senate Judiciary Committee.

Question. We could make that part of the record if you don't mind.

Answer. You would have to make copies of this.

On June 7, 1996, I received a phone message that Craig Livingstone wanted to see me about a case. On the same day, at approximately 3:45 p.m., I met with Mr. Livingstone outside his office in the Old Executive Office Building. We briefly discussed a temporary passholders case under review.

Unsolicited, Mr. Livingstone asked whether or not I had seen the press release made by his attorney concerning the Billy Dale files. I responded in the affirmative, at which point Mr. Livingstone stated, We just wanted you guys to know that we weren't blaming the Secret Service. Using an old list was our fault, and we had the current stuff you guys gave us. I don't know what happened.

I told Mr. Livingstone that I did not think he could blame us. Basically, the conversation was terminated, and I reported to my supervisor.

Question. If you want to give us a copy of that—

Mr. GOLDBERG. Did you submit it to the Senate?

The WITNESS. No. I just read it into the record.

EXAMINATION BY MS. COMSTOCK:

Question. Had someone informed you about the press release by Craig's attorney?

Answer. What happened was, when he came to my office, he left a copy of the press release for me to see.

Question. Okay. And did he leave a note on it or—

Answer. Well, a phone message note was taken by one of the employees that said that Craig stopped by to see you, he wanted you to see this and he also wanted to discuss a case.

I am just summarizing. I don't have the note in front of me.

Question. If we could get a copy of the phone message and press release.

Answer. The press release I gave to my supervisor, Colleen Callahan, and she advised me that she no longer has it. She put it in the burn bag.

Question. Okay. Prior to that, had Craig contacted you about anything related to the files, about these particular—the inappropriately gathered ones, if he had contacted you—

Answer. Prior to June 7, no. The only thing I could state to that was that he was making efforts to contact me all week. He was unaware of the fact that I was the evening supervisor that week, working the 4-to-12 shift, so he was unable to get hold of me in the normal course of business.

Question. Do you remember when he started trying to contact you?

Answer. That Monday or Tuesday, as I recall.

Question. Would you have those phone messages?

Answer. There was a message on my voice mail, which I don't have.

Question. Do you recall what he said in the voice mail?

Answer. That he wanted to talk to me about something. Which is normal. There is nothing out of the ordinary with that. I didn't suspect anything.

Question. Were you aware of him—let's continue with any other contacts he made during that week to you.

Answer. I believe June 7 was a Friday, as I recall.

Question. Yes, it was.

Answer. It was a Friday. And my understanding—at that time, I was only aware of the Billy Dale file, the gravity of the incident, so I wasn't aware of anything else at that point.

Question. You reported this contact by Mr. Livingstone to your supervisor?

Answer. Yes.

Question. Who was that?

Answer. Colleen Callahan.

Question. Did Craig contact you any time after that—

Answer. No.

Question [continuing]. About these files?

Answer. No. That was the last contact I had with Craig Livingstone.

Question. Were you aware of him trying to talk to anyone in the WAVES office at any time around the June 7th period or the week or so before or after?

Answer. I am not aware of that.

Question. Were you aware of him calling anyone at home, or his lawyers trying to contact any Secret Service employees that you know of?

Answer. Not to my knowledge.

Question. When Mr. Marceca was at the White House, did his background ever get forwarded to the Secret Service at any time?

Answer. No.

Question. We understand that he—I guess we have made a request, I think to Treasury and to the White House, to get how long he had his pass. My understand-

ing is, he had a pass that provided him access to the White House well into '95. Do you have any knowledge as to who may have requested access for Mr. Marceca?

Answer. I know he was a temporary passholder. His initial pass request came from Craig Livingstone's office. Whether it was Craig making the request or someone else, I don't know, but that is the process; the pass request for that type of pass would come from that office. That is basically all I could tell you about that.

Question. Then you never received any files on Mr. Marceca?

Answer. No. They never requested a permanent pass for him. That is the only reason we would normally see a background investigation.

Question. Craig Livingstone had testified that he talked to you about information that was in various files, as part of his job, that you were one of the people he talked about it with. Can you describe issues he would be raising with you in terms of talking about the content of the FBI files?

Answer. Well, as part of his job, he would—what he wanted to understand exactly—I guess what issues we would raise, or concerns, so basically issues, derogatory issues, that we would perceive as a possible dangerous issue. Those are some of the things we would talk about.

Question. Would he ask you, we have a person who has this problem, is that going to get by you guys, or is that okay with you—sort of feeling you out in terms of what are issues that you guys consider a problem?

Answer. Yes.

Question. Can you describe what kinds of issues those were that he would discuss with you generally?

Answer. Generally they would be issues concerning primarily prior drug use, would be on the most part, those types of issues, or some type of minor arrest, something of that nature.

Question. Did you ever have any concern personally that Mr. Livingstone or Mr. Kennedy had a relaxed attitude about some of these issues that you were concerned about?

Answer. No, I wouldn't characterize it that way, to say "relaxed attitude." I can't—let me think about it for a second.

I would more characterize it as a "difference of opinion" as opposed to a "relaxed attitude."

Question. Could you maybe describe how your opinions differed from Mr. Kennedy's and Mr. Livingstone's?

Answer. I think the best way to characterize it is that I am a law enforcement official and my judgment is held to a much higher standard in terms of the safety of the President of the United States, so I would sooner err on the side of safety to the President as opposed to maybe not being as diligent. I don't know how to describe it.

That is the difference. He is not law enforcement; I am, and I am held to a much higher standard.

Question. When Craig was in the ongoing process of doing background checks and getting lists from your office and everything, was Craig regularly instructed by your office on how to proceed with these various processes?

Answer. I was distracted.

Question. Strike that.

You would have meetings where you instructed—I believe you testified you instructed Craig Livingstone on procedures and how to get material from your office and get updated lists, that type of thing?

Answer. Yes, we have had conversations about that.

Question. In terms of reading the lists, what "A" and "I" meant, active and inactive; that kind of thing had been explained to Mr. Livingstone?

Answer. Yes.

Question. We have received information that Mr. Marceca was on access lists throughout the spring of '93. Could you just explain how those access lists worked, who was put on an access list and how long they would be put on it?

Answer. An access list, in lieu of making an appointment for someone every day to come in, if someone was deemed to be known to an entity in the White House and they had an operational need for that person to come in on a daily basis, we had the ability to create what we called an "access list" which required a person to show up, report at the gate, show their identification; but we would not stop that person and run the checks, criminal record checks, each and every time. The person would still have to walk through a magnetometer, and that is the purpose of an access list.

Question. So if there were lists that said this person needs access from today through the next 2 weeks, they could come at any time in the next two weeks and check in at the gate?

Answer. Right. The access would tell a specific time between 12 noon and 12 p.m., or only—or it could be any time depending on what the needs were.

Question. But if the request said, for the next 2 weeks they could come in on a daily basis at any time during the next 2 weeks?

Answer. If the access list didn't have those parameters, yes.

Question. People would be put on that list because they had a need for daily access?

Answer. We were told that they would have a daily need. This was a tool that could be utilized to take some of the burden from the White House from constantly making appointments in the system.

Question. And then if someone is on an access list, if they make an appointment, they end up—it is logged in the WAVES system, right?

Answer. Yes.

Question. If I go in and have lunch with someone at the White House, and they set up the appointment and I am waved in, it is logged there; someone can come back a year from now and find out when I had lunch with somebody?

Answer. Right.

Question. If someone is on an access list, is there a method by which you can find out when they utilized that access?

Answer. If a person is on an access list and they showed up, they will be given a badge similar to an appointment, and that information is recorded just like a WAVE.

Question. So if I was put on an access list for 2 weeks and I came in every one of those days, WAVES would have a list of when I came in every day in those 2 weeks?

Answer. In theory, yes.

Ms. COMSTOCK. This is a May 5, 1993, memo, CGE 47963. I will make that Exhibit 4.

[Cole Deposition Exhibit No. 4 was marked for identification.]

EXAMINATION BY MS. COMSTOCK:

Question. It is to James Farrell, Security Officer at the National Security Council, from William Kennedy, Subject, Compartmented Clearances, and this is requesting access to compartmented information for Mr. Livingstone; and it mentions that a full-field background investigation had been conducted by the FBI and that copy was maintained in the Security Office.

As of May 5, 1993, you all had not received Craig Livingstone's file; is that correct?

Answer. Again, without checking, you know, it is hard for me to say.

Question. We will check on that. But in terms of having any of the security issues or anything like that that you might have raised, if you had not seen this file at this point, you would not have raised those issues at that point?

Answer. Well, our security issues has nothing to do with clearances, so there is a difference.

Question. I understand.

Answer. There is a difference.

Question. This is a March 31, 1994, memo to Lloyd Cutler and Joel Klein from Beth Nolan, discussing White House passes and security and White House nomination clearance process.

I guess directing your attention to page 2, the first full sentence there at the top says that "BIs that are favorably adjudicated by the Counsel's Office are submitted to the Secret Service for their review and adjudication."

Answer. Where are you?

Question. Page 2. The adjudication process that you do is strictly involved with just security matters and not suitability?

Answer. Not suitability; that is correct.

Question. So the adjudication is for you to review the file for various security matters and issues that may raise a problem for the President's security as well as the security of the complex?

Answer. That is correct.

Question. In the paragraph that reads Improving the Process, about halfway down, it reads, "I have some doubts about the appropriateness of detailees in this area," meaning the Security Office, "particularly if they are authorized only for a short time."

Were you aware of those issues being raised in the '94 time frame about detailees being in the Security Office?

Answer. My recollection of this is, I recall having some conversations with Craig Livingstone concerning the fact that he wanted more help in his office. That is my recollection of it.

Question. Do you recall any issues that were being raised at any time in '93 or '94 about having a detailee in that office?

Answer. Right now, there is nothing that actually draws my memory. What I recall is some conversation with Craig where—that he would always complain that he needed some more people to work in his office.

Ms. COMSTOCK. Let's make that Exhibit 5.

[Cole Deposition Exhibit No. 5 was marked for identification.]

EXAMINATION BY MS. COMSTOCK:

Question. In terms of what we are looking at in terms of the FBI files and the requests for previous reports, did you ever have any discussions with Craig Livingstone about requests for previous reports in that process?

Answer. Not specifically, no. Not specifically.

Question. Do you have any general recollection of him talking about this topic, getting previous reports?

Answer. The only thing I can recall right now is that he had indicated at one time that he wanted to know, was it possible to duplicate anything that we had, and I told him absolutely not, he could not—our files are part of Secret Service and he could not at any time see any of our files for any reason.

I do recall that.

Mr. GOLDBERG. May I ask a question?

Ms. COMSTOCK. Yes.

EXAMINATION BY MR. GOLDBERG:

Question. It is my understanding that Lisa Wetzl, at times when the FBI couldn't find a file, previous request for a file, that she would obtain that from you guys. She testified to that.

Answer. That is not my understanding.

Question. Could you find out whether that is the case or not? She said on occasion she requested a copy of the FBI report that you would get.

Answer. It wasn't forwarded through my desk as a request. If that is something that happened, I don't have any direct knowledge of that. I can't—

Question. Is that different than the question that Ms. Comstock asked, different because the FBI supplied the information?

Answer. If it was something, a summary that we got—in other words, it was a summary that they had provided to us, then I don't think it was a problem.

Question. That is all. I thought maybe you were talking about—

Answer. My understanding is, we were talking about previous files which they no longer had.

Ms. COMSTOCK. Previous reports.

Mr. GOLDBERG. From the FBI or from the Secret Service?

Ms. COMSTOCK. From the FBI.

Mr. GOLDBERG. Didn't Ms. Wetzl testify that she would get reports from the FBI on occasion?

The WITNESS. The only thing I can say is that requests like that should have come in writing through my desk, and I never saw anything like that at all, at no time. And I recall specifically telling Craig that we could not provide them information to help them reestablish any files that they did not have.

Now, information they gave us is altogether different. They are walking the information to us. They already have it. If Lisa Wetzl forgot to make a copy for her records—

Mr. GOLDBERG. I think her testimony was, she needed to recreate a previous file, and the FBI couldn't find it. She knew that you guys would have a copy.

The WITNESS. I never read her testimony, so I don't know what she is alleging. I have no idea on that.

Mr. GOLDBERG. Thank you.

EXAMINATION BY MS. COMSTOCK:

Question. At any time while you had occasion to work with Craig Livingstone, did you ever raise any problems that you had with him with any supervisors at the Secret Service?

Answer. Did I raise any problems that I had with Craig? The only issue that I raised was that he should not be going to WAVES directly, requesting any criminal record checks, that he should not be obtaining any lists directly from WAVES.

Question. What was the context of that?

Answer. WAVES was not under my supervision at that time, so it came to my attention that Craig Livingstone would go directly to WAVES and ask for specific information. When that came to my attention, I raised that issue with my superiors and was advised WAVES—through appropriate channels, that that should no longer happen.

Question. He was requesting NCIC check information, or the kind of information that you would do, he was asking for that from WAVES?

Answer. Right. If part of the routine of someone they were bringing on, it was well within the process to go submit the name check, because this was someone who was coming on, a prospective employee. But that would have to be based on a request to add someone to what they call a pass waiting list.

It came to my attention that in my mind, there was not enough control over what he was asking for versus what we were receiving, so unless it came to our office, I made it known to my superiors that I was going to advise the WAVES office not to allow him to do that without receiving some paperwork.

Question. Do you know how long that was going on before you—

Answer. I have no idea.

Question. Was that in '93?

Answer. Yes.

Question. Do you know how long throughout '93 it was before you learned he was seeking that information?

Answer. I think a couple of months. I can't recall exactly.

Question. He was going to the people involved and trying to get the information directly, rather than making requests?

Answer. I don't know all the specifics of it. All I know is that requests were being made directly to WAVES, either by him or from his office and during my supervision in the Access Control Branch. When it came to my attention that numerous requests were being made for various lists or report checks, I wanted to make sure that we had a better handle on what they were asking for. So all checks had to come through my office before it was approved.

Question. So either Mr. Livingstone or someone from his office was in the WAVES office making frequent requests?

Answer. Yes.

Question. Were you aware of any background updates on residence staff that you received, files on residence staff that were updates that had been done prior to the regular 5-year update time frame?

Answer. Well, I mean, nothing significant to me other than the fact that on occasion I would receive from their office a background investigation that was less than the 5-year period of the previous investigation.

Question. Was it like a few months short of 5 years, or was it the background had been done a year or two before and now you were getting it again; can you recall?

Answer. No, there was a balance of time left on the previous background investigation, more than a year.

Question. Do you know why that was done in any instances?

Answer. Specifically, it was no concern of mine. I was aware of it, but I don't know why it was done.

Question. Do you know how often that occurred?

Answer. No. The only thing I can recall is that I recall specifically asking Craig one time, you know, what was the significance of redoing some of these BIs, and they felt that they wanted to review for their own purposes to make sure that these people were adequate to be in the White House. I do recall a conversation of that nature.

Question. Was that residence staff, if you recall?

Answer. I can't recall specifically whether it was residence staff or GSA.

Question. It was a holdover employee?

Answer. Yes, someone from the previous administration that was still on board.

Question. Did you ever ask him why he was focusing on this, as opposed to getting their own new people cleared?

Answer. No, I didn't ask that question.

Question. Can you recall generally if this was in '93 or '94?

Answer. I can't recall if it was '93 or '94 or even '95. I just can't.

Ms. COMSTOCK. I think that is all we have for today. Thank you.

We can go off the record.

[Whereupon, at 1:55 p.m., the deposition was concluded.]

COMMITTEE ON GOVERNMENT REFORM AND OVERSIGHT,
U.S. HOUSE OF REPRESENTATIVES,
Washington, D.C.

IN THE MATTER OF: WHITE HOUSE TRAVEL

DEPOSITION OF JEFF UNDERCOFFER

WEDNESDAY, JULY 10, 1996
Washington, D.C.

The deposition in the above matter was held in Room 2203, Rayburn House Office Building, commencing at 10:10 a.m.

Appearances:

Staff Present for the Government Reform and Oversight Committee: Barbara Olson, Chief Investigator; Barbara Comstock, Special Counsel; Laurie Taylor, Investigator; Donald Goldberg, Minority, Assistant to Counsel; Daniel Hernandez, Minority Professional Staff Member.

For JEFF UNDERCOFFER:

WILLIAM E. CLANCY, ESQ.

THEREUPON, JEFF UNDERCOFFER, a witness, was called for examination by Majority Counsel, and after having been first duly sworn, was examined and testified as follows:

Ms. COMSTOCK. We just have a short statement giving a background on the investigation before we start. Some of it is not going to apply—I mean, maybe a good bit of it may not—but just to give you an idea, an overview of what we are looking at.

We are on the record this morning for the deposition of Jeff Undercoffer from the Secret Service, which is being administered under oath. My name is Barbara Comstock, I am Majority investigative counsel. With me today is Barbara Olson, who is our chief investigative counsel, and Laurie Taylor, who is an attorney on the Majority staff, and Don Goldberg and Dan Hernandez are Minority staff.

I would like to provide you with some background information concerning this investigation and your appearance here. Pursuant to its authority under Rules 10 and 11 of the House of Representatives, the Government Reform and Oversight Committee is investigating the White House Travel Office matter and related matters.

This refers to all events leading to the May 19, 1993 firings of the White House Travel Office employees and includes all information provided by the White House Travel Office and any employees at the White House Travel Office at any time from January 1st, 1993 to the present.

Our investigation also encompasses the activities of Harry Thomason, Darnell Martens and Penny Sample at the White House as well as allegations of wrongdoing concerning Travel Office employees.

The committee investigation is reviewing all actions taken by any Division or field office of the FBI and Department of Justice, both prior to and after the firings, as well as issues relating to the White House's receipt of FBI background investigations on prior administration officials.

The investigation includes, but is not limited to, the investigation and prosecution of U.S. v. Billy Ray Dale and all investigations and subsequent reviews of the Travel Office firings by any agency including, but not limited to, the White House Management Review, all FBI and Justice Department reviews, the IRS and Treasury Department internal reviews and records, the GAO Review, as well as the proposed U.S. House of Representatives Resolution of Inquiry. I think in particular the White House Management Review discussed at length the White House passes and those type of matters.

Do you understand that your answers should not—I'm sorry, should not exclude any information which you recall involving these subjects?

The WITNESS. Yes.

Ms. COMSTOCK. The committee has been granted the specific authorization to conduct this deposition pursuant to House Resolution 369, which was passed by the House of Representatives on March 7, 1996. We can get the rules for you if you would like to have a copy of them for you today.

The committee counsels will proceed with equal rounds of questioning, each lasting up to 1 hour. We will alternate. We will just be questioning one at a time. If you have any questions for counsel, or if you want me to rephrase a question, just ask if you don't understand it as we are going along.

You are here today voluntarily and not by subpoena; is that correct?

The WITNESS. That's correct.

Ms. COMSTOCK. Okay. You will be given a 5-day time frame in which you can come in with your attorney for the Secret Service and review your deposition once it has been transcribed, and to correct any technical problems that you perceive occurred in the transcription, and to clarify any matters. After that review period, you will be asked to sign the transcript.

Do you have any questions before we start today?

The WITNESS. No.

EXAMINATION BY MS. COMSTOCK:

Question. If you could just tell us your position at the Secret Service and how you became involved in reviewing the FBI files matter?

Answer. Okay. The FBI file matter. No, I am an agent assigned to the White House Division. I have been assigned there since January of 1994 in that this whole matter regarding the FBI background files and the production of access lists are generated by my Division. That is how I am involved.

Question. Could you describe the analyses that you have done on the lists? Do you have a general discussion that you could provide for us?

Answer. I do not have a general discussion; probably a 10-minute presentation. It involves charts. They are very visual, along with I have some definite numbers, if you would like me to just go through it.

Question. Why don't we go through that, just so you can tell us what you have done in your review of the files.

Answer. Okay. If I may?

Question. Yes.

Mr. GOLDBERG. With the charts I think you have to be as descriptive as possible.

The WITNESS. I will be as descriptive as possible, and then we will provide copies of these also.

I have two charts, and the general—as part of my analysis, what I began looking at was did we, did the United States Secret Service, provide to the White House Office of Personnel Security any time during 1993 a list that showed the majority of these people from the list that you have here? It is the same list I have.

I have been given—first I will start by saying I have been given two lists. One was longer than the other. There is a total of 476 names on them. The two lists have one name in common, and that is—I can't remember the guy's name in particular.

Ms. COMSTOCK. Okay. Why don't we make that list Exhibit 1 here so we can refer to it throughout the deposition.

[Undercoffer Deposition Exhibit No. 1 was marked for identification.]

EXAMINATION BY MS. COMSTOCK:

Question. Exhibit 1 is the list, the initial list of 300 plus names that was initially released by the White House, and then we also have the second list, which I believe you referred to attached as part of Exhibit 1, which has an additional number of names.

Actually, maybe we should clarify before we start with the charts that the first list of 300 or so names was the initial list provided by the White House, I believe, on June 7th, provided to the public. The second list was provided a week or so later, and the White House has represented to us that this list did, in fact, contain 70 or 70 something or 80 or so names that actually were properly—they were active, and the files were properly sought; is that your understanding?

Answer. 89 names.

Question. Okay, 89.

And the reason the second list came about, we have been told by the FBI, is because of they noticed that there were more names in the series that Mr. Marceca; is that correct?

Answer. I don't know. I can only speak to the fact that I was given the long list, the short list.

Question. Okay. So we will refer to these lists that have the combined numbers that you are talking as Exhibit 1, and this particular copy, Exhibit 1, has the deactivation dates of all of the people on the list also—

Answer. Okay.

Question [continuing]. As provided, I understand, by the Secret Service.

Answer. Okay. We will call it Exhibit 1. On my charts I refer to it to the list of 476 because combined, there is 476 individual names on the list.

Question. Okay.

Answer. I took two views of this information, and I used the WAVES information as to—because our WAVES system produced the access lists. I noticed that, by looking at the deactivation dates on these individuals, that 94 of the individuals were not active at any time prior, or from 1989 and back.

In 1989 was the Bush-Reagan transition, and that is when our E-PASS system came on line. They chose to bring it on line in the transition. That is where we went from a paper pass to the hard pass. It is a hard card. It has a microchip in it, and each one has an individual number to it. So 94 of those people were never active in the E-PASS system. They were—they had been issued paper passes in previous administrations, and never a pass through the E-PASS system.

Now, we move up to August of 1991. I have—we have historic WAVES records. If I may refer to my notes, I have—we have historic WAVES records where I have a printout dated August 7th of 1991 listing inactive passholders. So that printout list, it is a WAVES printout, lists all inactive passholders from August 7th, 1991 backwards. And on that printout, 182 of those 476 names from Exhibit 1 are included on that printout.

I have another printout generated by WAVES on May 2nd of 1993. That is a printout of active passholders, active passholders employed by White House operations personnel. From that printout I was able to deduce—and I will get more into how the numbers break down when I come to the second chart—but from that printout I was able to deduce that 368 individuals of the 476 were inactive passholders as of May 2nd, 1993.

Then I have a very similar printout dated July 8th of 1993. Again, that is a printout showing all inactive passholders employed by White House operations personnel, which the overwhelming majority of these 476 were. There were three individuals that were not. They were employees of the residence. But anyway, 379 of the individuals from the 476 from Exhibit 1 would have been inactive passholders as of July 8th.

Now, to look at the information from another—

Question. So we have just been referring to the chart entitled “Inactives” in WAVES from the list of 476. And you can provide us with a small copy of that so we can make that part of the deposition?

Answer. I will provide a small copy of that.

Question. Thank you.

Answer. And the purpose of this graphic representation of the information is that it is very easy to visually see that the White House Division of the Secret Service did not provide a list with 476 people on it of those individuals from Exhibit 1 as active, because they were, in fact, inactive.

Question. And then would the 89 of the people having been on there correctly, would that then be added to the 379?

Answer. 379—we will add this together when we—

Question. Okay.

Answer. When I look at this information, I look at it two ways. I look at it deductively and inductively, coming at two different approaches. So it helps me keep my thoughts straight. The numbers can get very confusing, and it helps me keep my thoughts straight.

To take a closer look at this information—

Mr. CLANCY. Why don't you reference the title.

The WITNESS. Okay. “Pass Deactivations from the List of 476.”

Working up until 1989, I find that from the list we have called Exhibit 1, one individual has not worked for any administration since 1984; two individuals since 1985; four individuals since 1987; three since 1988; and 84 since 1989. And that brings—again, 52 individuals have left, according to our records, in 1995. In 1991, 59 individuals have left.

And again, my printout, the printout I have showing—and I will submit this to you. I have the printout dated 8–7 of 1991, and attached to it I have a key, an alphabetical key, referencing the file numbers, because the printout is in file number order. But 182 individuals from the list of 476 that we are calling Exhibit 1 are listed on this printout that says “WAVES inactive passes.” So there is no way post-August 7th, 1991 that they were on a printout reproduced that said they were active.

Our records also show that in 1992, 75 people left and were consequently made inactive. Now, in January of 1993, and I have an historic WAVES document, this is a printout produced by the WAVES system, and it is dated—and what it shows is—

EXAMINATION BY MS. COMSTOCK:

Question. That is dated what?

Answer. January 28th of 1993.

What this shows are all of those passholders who became inactive in the month of January of 1993. There were 18 individuals from Exhibit 1, the list of 476 people, included on this printout.

Question. The January 28th, 1993 printout, 18 of the people that were on the Exhibit 1 list were deactivated as of that date?

Answer. That's correct. And our records properly show that they were—from that time forward, they carried an inactive status.

The next historic WAVES document I used in my analysis was a printout. The printout is dated 4-14 of 1993, but what it shows is all of those individuals who became inactive in the month of February of 1993. There are 48 individuals from the list of 476, Exhibit 1, who are listed on this WAVES printout showing that they have become inactive. So concurrent with the first chart I have shown, the number of inactive passholders grows as we move forward in time.

The next printout I have, it shows active passholders that are employed by the White House operations personnel. And I looked at this list viewing it for exclusions from the list of 476, meaning that if you are on this, you are active. If you are not on this and you were employed by White House operations personnel, which all but three individuals on this list were, you would be excluded, because you would have an inactive status.

Now, the breakdown on this list are—and the list is dated 5-2 of 1993. So that is our cutoff in time is May 2nd of 1993.

Now, there are 100 people—I'm sorry, let me back up, because the numbers get confusing here. There are 94 people from Exhibit 1 included on this list.

Question. Included on the May 2nd, 1993 list?

Answer. Correct. On here are eight errors. The eight errors, I did not write their names down. I will give them—I will try to enumerate them from memory. An individual by the last name of Blumenthal, an individual by the last name of Carpendale, an individual by the last name of Cutshall. The other five names escape me.

Mr. GOLDBERG. Is the Hagin or Eagin—

The WITNESS. I will deal with that when I am done with this.

EXAMINATION BY MS. COMSTOCK:

Question. And James Baker, is he included in that?

Answer. No, he is not. He is separate to that.

Question. I think we can get those for the record. That will be fine.

Answer. Okay. There are eight names that E-PASS, the E-PASS system showed them as inactive, and the information was not passed over to the WAVES system to also show them deactivated or having inactive status. And on this May 2nd list, there are eight errors that we made, and they show up as active when, in fact, they should have been inactive.

Question. All right. There is also six other individuals in the total number of this list that are not listed on here. Three of them are employees of the residence. Their last names are Blake, Bowens and Brooks. And an additional three are people that have yet to be employed by the White House, an individual by the last name of Carr, who became employed—or who became active in our pass system as of 6-3-93; an individual by the last name of Carpenter, who became active in our pass system on 5-27-93; and an individual by the name of Balfour, who became active in our pass system on 7-24-93.

Question. Is this May 2nd, 1993 list, this is a WAVES list?

Answer. This is a WAVES list showing all active passholders employed by White House operations personnel.

Question. Okay. If somebody had put somebody on an access list, would they also appear on this WAVES list?

Answer. No, they would not, because an access means that you are permitted access into the complex. It doesn't mean you have been issued a pass.

Question. So these would be all the people who had at least a temporary hard pass at this time?

Answer. At least a temporary hard pass.

Question. On the chart does it indicate whether it was a temporary or a permanent?

Answer. It does. The first one is White House staff, the second one is temporary EOB, permanent EOB, temporary White House staff.

Question. Okay. So the "WHS" stands for "White House staff"?

Answer. Correct.

"TEO" stands for "temporary Executive Office Building."

Question. "OEB"?

Answer. Stands for "Executive Office Building."

TWHS stands for "temporary White House staff."

Question. Okay. So that covers all of our codes there on that?

Answer. There is also "TVOL", which is "temporary volunteer."

Mr. GOLDBERG. Can I ask a clarifying question, just so we don't have to come back and redo all of this again on my time? I know it is not typical practice, but it would just be more efficient.

EXAMINATION BY MR. GOLDBERG:

Question. I want to clear up the three names that you said were not to be employed. Is that three names that were taken from the list of names of the White House files that were somehow requested from the FBI inappropriately?

Answer. No, I am not saying they were requested inappropriately. I am saying that they weren't employed.

Question. I am just trying to clarify which list you found those three people on. I didn't mean to ask you to characterize them.

Answer. I found those three people on this list, Exhibit Number 1, the list of 476 names.

Question. Which the White House has represented as the list of names that Marceca requested?

Answer. If they have, yes.

Mr. GOLDBERG. Do you know the answer to that question?

EXAMINATION BY MS. COMSTOCK:

Question. You are saying the three people are on Exhibit 1, but they don't appear on any of the WAVES lists?

Answer. On any of the WAVES lists. And the reason they do not appear is because this WAVES list is dated 5-2 of 1993, and they were not hired until after 5-2 of 1993, so they couldn't appear on a list that we produced.

EXAMINATION BY MR. GOLDBERG:

Question. I am confused, but not by your answer, but just by why is Marceca asking for these files.

Ms. COMSTOCK. The White House represented that 89 of these were correctly—there is a number of these in this 476 list which were correctly sought.

Mr. GOLDBERG. I am sorry. Let me just ask Barbara a question before I get back to you.

Ms. COMSTOCK. Why don't we go off the record for a minute.

[Discussion off the record.]

EXAMINATION BY MR. GOLDBERG:

Question. Did you have these charts before the Senate hearing?

Answer. No, I didn't. I had them made yesterday.

Now, where was I?

EXAMINATION BY MS. COMSTOCK:

Question. We had gone through the May 2nd, 1993 list and identified what some of the codes were on there.

Answer. Okay. So using this May 2nd, 1993 list, and knowing that there were three employees of the residence, three employees that had yet to be hired, eight individuals that were our error, that were listed as active when they were not active, and when you work the math, it tells me that there were 368 individuals from Exhibit 1 that were listed as inactive at that point in time. So any list we produced after May 2nd of 1993 showed 368 of those 476 names as inactive passholders to the White House complex.

Question. So after May 2nd, 1993, anyone requesting an active list of passholders would not have gotten 368 of the names that are on Exhibit 1?

Answer. That is correct.

Question. All right. The next historic WAVES document I have is dated 11-3 of '93, and what it shows are those passholders who became inactive during the month of May 1993. There are five individuals from the list of 476 that became inactive during the month of May 1993.

Question. Okay. And on this—Billy Dale is included on this list?

Answer. Yes. Billy Dale is included on this list.

Question. John Dreylinger?

Answer. Billy Dale, and it shows him becoming inactive on May 24th of 1993. That is when he was made inactive.

Question. And John Dreylinger becomes inactive on May 24th also?

Answer. May 24th of 1993 also.

Question. This list is just one page?

Answer. This list is only one page. I only copied AA to GO from our records, just to reduce on the amount of paperwork that we would have had to have brought in.

Question. And Barnaby Brasseux is also on this list as being deactivated on May 24th, 1993?

Answer. He is one of the five. Dreylinger, Dale, Brasseux, are three—

Question. Those are are probably the only—

Answer. Flagler is four, and there is a fifth one. There are five individuals.

Question. I'm sorry, who is Flagler?

Answer. He is from the list.

Question. Oh, from the list, I see.

Answer. There are five individuals from the list that we are calling Exhibit 1 that are on this printout, meaning that any list we would have produced after May of 1993, these five individuals would also be listed as inactive.

Question. All right.

Answer. The next historic WAVES document I have is dated 11-3-93, and what it shows are those individuals that went from an active to an inactive status in June of 1993. There are six individuals from Exhibit 1 who became inactive in June of 1993, and those six names are listed on this printout.

The final document I have is dated 7-8-93, and again, this is a listing of all active passholders employed by White House operations personnel. On that list there are—here's the way the numbers work: There are four people that are legitimately passholders that are on the list, and they are the three employees of the residence, Blake, Bowen and Brooks. One employee who was yet to be hired, Elizabeth Bal-four, she was not hired, according to our records, until after July 8th of 1993. There are 85 people from this list that are common to Exhibit 1, they should be there, and there are eight errors. I have given you three names. The fourth name that I can recall is Danica Bizic. As the day goes on, I will recall them all.

But what this shows me is that there are—as of May 2nd—I'm sorry, July 8th, 1993, there are 379 individuals from this list that we are calling Exhibit 1 that would have been inactive on any report we would have generated from WAVES.

To confirm that the records in WAVES stay current, I don't have any copies of the document at this point in time because I just double-checked last night, but I have a printout dated 8-19-94 of all inactive passholders. All 379 of these individuals are listed on that printout as inactive, and there are some additional ones also that from the—

Question. I'm sorry, did you say August 19th, 1993?

Answer. August 19th, 1994.

Question. 1994, okay.

Answer. Right. But it is a logical—it is a safe assumption or a logical conclusion that if somebody was not included on a printout dated July 8th, 1993 of active passholders, they were included on a printout dated 8-19-94 showing inactive passholders.

Question. I see.

Answer. In the intermediate and the time in between, they have stayed—their status stayed as inactive.

Question. Okay.

Answer. Am I clear? Are you clear? I know I'm clear, but I have been living with these numbers for quite some time. Have I expressed myself adequately?

Question. I think the bottom line is that of the names that are on the list of Exhibit 1, any glitches or whatever that the Secret Service had can only account for eight of those names; is that correct?

Answer. Okay. The scope of my analysis ran from 1984 up to July 8th of 1993. I can tell you definitively that 94 of those individuals—if we were to have produced a list in 1989, 94 of those individuals from Exhibit 1 would have been inactive.

Question. So someone who came up with those 94 names had to get them either from an inactive list or from somewhere else?

Answer. Or from somewhere else. I don't know where they would have come from.

EXAMINATION BY MR. GOLDBERG:

Question. Could it come from the same list and just be listed as inactive?

Answer. We do generate—

Question. So it could be the same list that would have them active or inactive; is that accurate?

Answer. We do generate—I tell you what, can I finish, and then I will address your question.

At the same time after August of 1991, August 8th, I believe, 182 of those people would have been listed as inactive on any report or printout we produced through WAVES. Again, on May 2nd of 1993, 368 would have been inactive. And if you want to look at just the 1992 date, because it was a transition from one administration to the other, 280 people went inactive from December 31st, 1992 backwards. And then that number grows as we move into 1993.

Question. Okay.

Answer. Now, outside, to speak outside of the July 8th, 1993 time period, because the name comes up, James Baker, let me speak for a moment as to the process of how the names—how the people are added to the active list and taken off the active list and made inactive.

The names come to us from the administration. They determine who they want to be granted a pass into the White House complex. They will submit the name to us along with a background investigation. We review the investigation solely upon looking for protective concerns. Our only concern is would somebody pose a threat to any of our protective concerns.

EXAMINATION BY MS. COMSTOCK:

Question. And do you actually get the summary background files then, the files that were turned over to the White House?

Answer. Yes, the summary, yes. We review it. If we have no concerns, we sign off on the file, the individual is issued a pass, and at that point in time the information goes into the E-PASS system, and they become active passholders.

When somebody leaves, to deactivate somebody, again, this is done at the behest of the administration, whichever administration it is. They will tell us in one of two ways. The individual himself, the passholder his or herself, will come to our office, say, I'm leaving, will turn in their pass, at which time we will deactivate them. Or they could just leave, and we will not find out until somebody from the administration—typically it has been the Office of Personnel Security—will tell us, oh, so and so has left 2 months ago or even 3 months ago. Please deactivate their passes. And so again, at that point in time they are deactivated.

So we are—we really serve the administration. We issue building passes to allow people into the complex based upon who they want in and who they want to exclude.

Question. And usually is there a checkout procedure when people do leave the White House, or had there been maybe in the prior administration, was there a checkout procedure that people went through?

Answer. There is a checkout procedure in place with this administration. I cannot speak to prior administrations because I didn't come until 1994.

Question. And the current checkout procedure, was that in place in 1993?

Answer. No, it wasn't. I know it became more formalized in 1994. I can't tell you exactly, really; I can't speak specifically to what occurred in 1993 because I wasn't there.

But now, to speak to Mr. Baker. Mr. Baker, Mr. Fitzwater, and two other individuals, we were not requested to deactivate them until August of 1993. So legitimately, because the administration hadn't told us, and I know it sounds a little funny, because everybody would imagine that Mr. Baker would have left with the previous administration, but we are not to be so presumptuous to think that he is not going to stay around to help out with the transition. That is not for us to determine. So legitimately he was listed as an active passholder on this July 8th printout, because up until that point in time, we weren't requested to remove him from the rolls of active passholders.

Now, in August of 1993, we were requested to remove Mr. Baker and Mr. Fitzwater, two other individuals, I can't recall their names, from the list of active passholders.

Question. Okay. Now, the list that we have been referring to as Exhibit 1, Mr. Fitzwater does show being inactive January 20th, 1993.

Answer. That date is incorrect.

Question. Okay.

Answer. In fact, I have been over this list 100 times. I was told that these—the dates on this list that you have, we were given a day to come up with the dates, and so there are errors on that. In the—over the last month we have had time to go through and through and through and, you know, do a very, very thorough audit.

Question. So these numbers that we are looking at on the charts are based on you—

Answer. These numbers are accurate.

Question. Okay.

Answer. And when I am finished with my report to submit to the Senate, it has all of the dates on it, and those dates are 100 percent accurate. These, I found a few errors in those dates. So I wouldn't use that for definitive purposes.

But in August of 1993, we were asked to take Mr. Baker from the rolls. We did. He was listed as inactive in the E-PASS system, and he, just like the other eight individuals I had mentioned—that information was lost in the transfer between the E-PASS system and the WAVES system, so he was carried as an active passholder erroneously into 1994.

In fact, I think it was February or March, it was early in 1994, it was a conversation between Mr. Livingstone and myself where what we do, we provide them with a printout of active passholders, and the reason we provide them with the printout is so that they can go through it and reconcile their records with our records, because as I had stated previously, we put information in at their request, we take information out at their request. Consequently, we give them our records so that they can go through them and verify that everything is correct.

With Mr. Baker, he noticed, he said, hey, Mr. Baker left some months ago, how come he is still here? I informed him it was a problem that I was aware of since I had come to this Division in 1994, we were working on a correction to the problem, and I went in and the problem was corrected eventually, and Mr. Baker was deleted from the rolls.

It is also important to note, though, that he was listed as an active passholder in the WAVES system, and that passholder database in the WAVES system is for our purposes. It is an administrative file. The critical function of the system as a totality is comprised of three computer systems, an access control system, the E-PASS system, and the WAVES system. The critical function is performed by the access control system, and that operates 100 percent. He was immediately deactivated, so that if Mr. Baker would have shown up at the gate with this pass and tried to come in, it wouldn't let him in.

Question. So after August 26, 1993, he could not have gotten into the building?

Answer. He could not have gotten in.

So I think from our perspective, that is an important point to stress, that the printout in WAVES, the database that we keep in WAVES, is there for administrative purposes. We print it out from WAVES because WAVES has high-speed printing capabilities, and so we simply utilize the WAVES system to generate these printouts. And again, we give them to the administration for them to go through and find any errors.

That is the whole purpose. We traditionally give them printouts, some printouts every Monday, some printouts once a month, but so that they can go through them and make sure that the information is accurate. It is a real cooperative effort. It has always been a cooperative effort between the Office of Personnel Security and the White House Division.

Can I answer any questions?

Question. Yes. Maybe if we can go into a few areas. In 1993 when the new administration started—when did you start in this position?

Answer. January of 1994.

Question. And what were you doing prior to that?

Answer. Prior to that I was assigned to our Technical Security Division.

Question. Is that at the White House also?

Answer. No, it was not.

Question. All right. So you are not familiar then with any meetings in 1993 with Mr. Livingstone?

Answer. No, I am not, no.

Question. In 1994, were you aware of there being a large number of new White House employees who hadn't gotten their White House passes?

Answer. Yes, I was.

Question. Were you involved in any discussions regarding that?

Answer. Not—no, not directly.

Question. Okay. And how did you become aware of it?

Answer. Well, I worked in the White House Division. One of my jobs was to review backgrounds. And you couldn't help but know it, because it was in the newspaper. I am not being facetious, I didn't learn it from the newspaper, but simply by being in the office, one knew that this was an issue. The particulars of the issue I was not aware of.

Question. You yourself reviewed the FBI files when they came over completed from the Counsel's Office?

Answer. Yes.

Question. And you would review them for security concerns?

Answer. Yes, I did.

Question. And after you reviewed them, who would you then pass them on to?

Answer. I would sign off for them for the special agent in charge of the Division, and if there was—if it was a routine background, there were no concerns whatsoever, they would go from me up to the front office, where the individual would be informed that they could come in and receive their pass.

Question. In the front office, who would it go to in the front office?

Answer. To our administrative personnel in the White House Division.

Question. Who is in charge of that?

Answer. In charge of the office is Arnold Cole.

Question. When you had received those files, who had signed off on them on behalf of the Counsel's Office?

Answer. Typically it was Greg Livingstone. Well, the pass request came from Greg's office, he signed off on it.

Question. Was there a particular request form where he would—

Answer. It was a standard request: Attached is a background investigation of so-and-so. We request that this type of a pass be issued.

Question. Okay. So they would—you would get White House employee X's file that says—Greg had a memo on it saying, please provide a permanent pass for this employee?

Answer. Yes.

Question. And then attached would be that person's FBI summaries, the FBI summaries on them?

Answer. Yes.

Question. Would it have any financial information or any other information besides the FBI background?

Answer. Typically, no.

Question. And you would then review it for security concerns?

Answer. Yes.

Question. And if there were any problems, who would you raise those with?

Answer. If there were problems, if it was anything more than routine, then I would pass it on to my supervisor, Assistant Special Agent in Charge Arnold Cole.

Question. Generally with the files that you reviewed, do you recall there being problems with individuals who hadn't paid their taxes? I am not asking for any names here, I am just saying generally if files that had been passed on to you where there were situations that people hadn't paid their taxes.

Mr. GOLDBERG. Exclusion of congressional proceedings I don't believe apply to this particular provision, and the Privacy Act, I think, would cover. I would be wary of how you would answer questions.

Mr. CLANCY. Well, I think that the Privacy Act goes to individuals, it doesn't go to groups at all, and I would advise the witness here not to answer anything about individuals. But the Privacy Act has nothing to do with groups, from my understanding. Do you have a different understanding?

Mr. GOLDBERG. I don't have a different understanding, but if information could be put together with that answer in identifying somebody, I think there could be a problem.

Mr. CLANCY. I agree that we should be careful that the information come out not to identify an individual, but just a situation.

Ms. COMSTOCK. Also, I think this is a copy of the Privacy Act here, which I believe doesn't apply to—

Mr. GOLDBERG. I think if you read it closely, it doesn't mention staff depositions. It is congressional hearings within the jurisdiction of the committee. I think the committee can get around this in a different setting than this.

Ms. OLSON. I am going to speak on the record since this is going to come up again. I would ask that Mr. Goldberg make a complete record of his understanding if the Privacy Act does apply in this deposition, and let's get it very clear on the record because we are going to deal with this for the next 30 days.

Mr. GOLDBERG. Would you like me to make a statement about that now?

Ms. OLSON. Yes.

Mr. GOLDBERG. I would say that I believe that there are two questions that would relate to the Privacy Act. One, is this a congressional hearing under terms of the Privacy Act that would be excluded under the general exclusion of the Privacy Act. Second would be, is the question being asked within the scope of H.R. 369 which authorizes this deposition.

I think both are very relevant to the issue, and I think you could raise significant questions about both that would lead perhaps someone to conclude the Privacy Act protections and criminal protections specifically would apply. I can't give you a definitive answer.

Ms. OLSON. Okay. We have reviewed the Privacy Act. Our committee counsel, Kevin Sabo, has reviewed the Privacy Act, and the Chairman is signing a statement which will be made a part of this record and shared with Minority counsel. This deposition started before the statement was complete.

The Privacy Act that I am quoting from is from Title V, Section 552(a), Subsection B, which says that there are conditions of disclosure and, quote, "no agencies shall disclose any record which is contained in a system of records."

Then I am skipping several sentences, and it says, unless disclosure of the record would be—and if one goes down to Subsection 9—to either House of Congress or to the extent of a matter within its jurisdiction, any committee or subcommittee thereof, any joint committee of Congress or subcommittee of any such joint committee.

My understanding through communications with our committee counsel is that we are a subcommittee of the House of Congress, we are staff on a committee in the House of Congress, and therefore, the Privacy Act does not apply to these depositions insofar as an agency may disclose information to us. That does not say that we may then publicly turn around and disclose that information. I am only making a representation as to whether information can be given to us that would be normally within the Privacy Act within the confines of this deposition.

It is my understanding and it is the Chairman's position that this investigation is properly under the White House Travel Office matter and that, in fact, we are authorized under the House Resolution and the committee rule to conduct these depositions, and we have been proceeding as such throughout this investigation of the FBI files matter.

Mr. GOLDBERG. If I could just make a final statement. The Minority has considered this at length, and I believe that the Ranking Minority Member's own opinion is that this is not excluded from the Privacy Act, and any witness answering questions should proceed at their own peril, having heard the statement of the Majority and the Minority.

Mr. CLANCY. Would it be convenient to break for about 10 minutes?

Ms. OLSON. Let's do that.

[Recess.]

Ms. COMSTOCK. Back on the record.

Mr. CLANCY. Prior to going off the record, we had some questions that were going in a certain area. There was concern by the agency that there could be a potential violation of the Privacy Act. To that extent we had some discussions off the record, and I called back to my office. Upon the conclusion of that, I want to make this statement which I am making at this time.

We still continue to have some concerns, and those concerns would be when a question, the response to which would require information that perhaps would identify an individual, we clearly do not want to do that at this time because we do have concerns about the Privacy Act. To the extent the questions would be general in nature, asking about perhaps a general perception or general problem or general situation, something of that sort, we will make responses in that regard.

We have also indicated to both counsel, Minority and Majority here, that we respectfully request the Chairman to make a request if there is further information that is needed after this, that they make the request to the Secretary of the Treasury. We will immediately accept a copy from our individuals here. I don't think there will be delay there. I just propose that for the purpose that the Secretary of Treasury is the leading individual in the Department of Treasury. We are dealing at a fairly high level and want to do everything appropriately.

With that on the record, we can proceed.

Ms. OLSON. I have a memorandum from Chairman Clinger dated today's date that discusses the applicability of the Privacy Act to Congress. I will make it a part of this deposition as Exhibit Number 2.

[Undercoffer Deposition Exhibit No. 2 was marked for identification.]

Ms. OLSON. The Chairman states that he believes after his consultation that it is clear that a government witness before this committee cannot refuse to respond to pertinent questions put to him on the basis of the Privacy Act.

He also states that he believes that law enforcement officials may disclose matters in a file without a person's consent for purposes of civil or criminal law enforcement.

We understand that the Minority has raised a question whether our questions in this deposition are properly before the Chairman of this committee. Therefore, what the Chairman intends to do is after the questions are asked, if the response is not

complete because of Privacy Act concerns, he will address a letter to the individual witness stating his jurisdiction as Chairman of this committee and submit those questions that have been asked in this deposition along with any others to the witness to respond to as Chairman of the committee with proper jurisdiction, and that that witness's responses will go straight to the Chairman.

I believe that I am correct in stating that Minority also believes that the Chairman does have authority once he states his jurisdiction to ask the individual witness those questions, and that the individual witness would not violate the Privacy Act if they respond to those questions to the Chairman.

Mr. GOLDBERG. As Minority staff, I believe that is an appropriate and reasonable approach to this issue.

EXAMINATION BY MS. COMSTOCK:

Question. I believe the question that we had outstanding before we broke was in your review of the files, Mr. Undercoffer, when you received them, did you have any situations where you had—where the Counsel's Office had signed off on a file and sent it to the Secret Service where individuals had not paid their taxes?

Answer. A resolved or an unresolved situation?

Question. A situation where it was apparent from the file that there had been unpaid taxes.

Answer. Yes.

Question. Do you recall how many times that occurred in files you reviewed?

Answer. A few.

Question. Do you know of other situations outside the ones you reviewed where this occurred?

Answer. Specifically? No, not specifically.

Question. Had you heard about this being a problem that people hadn't paid their taxes in a number of files that came through to the Secret Service?

Answer. We would discuss cases amongst ourselves. There were a few that I had heard, yes.

Question. Were you aware of any situations where individuals were put on some kind of tax payment plan as a result of these issues?

Answer. I am not—I really, truly do not recall as to how the situations were resolved.

Question. Were there situations where people hadn't paid taxes for numerous years?

Answer. I can't—I am not being evasive. I know that there was that situation, but I can't recall—when you read background investigations, they have a tendency to run together after time, and so I can't recall—I can't recall—I need to be—I am trying to frame specific instances in my mind so that I can answer your question in a general way, and I am having difficulty doing that. Can you ask me the question again?

Question. Did you have situations where any files that you reviewed were people who hadn't paid their taxes for a number of years? Do you recall any instance where someone hadn't paid their taxes for more than one year?

Answer. More than one, yes, there were some.

Question. Prior to those files being sent over to the Secret Service, were there—were these tax issues resolved in some way?

Answer. I do believe most had been, yes.

Question. Would Craig Livingstone or others in the Counsel's Office discuss these issues with you prior to sending the files over?

Answer. No. They were never discussed with me.

Question. They would just send the files to the Secret Service, and you would review some of them?

Answer. From my point of view, the files came in, they were assigned to me, I reviewed them.

Question. In reviewing the files, did you have instances where you had levels of drug use that went beyond college age, experimental use?

Answer. Yes.

Question. Can you—of the files you reviewed, can you put a percentage of—any general number of what was beyond college-age experimental drug use?

Answer. There were more than a few.

Question. Were there dozens?

Answer. There were probably—this is a very sensitive question, so I am trying to be as accurate as I can be. I don't want to—there were a—I am trying not to be subjective, because when one reviews background investigations, you are glimpsing into somebody's personal life, and it is something I take very seriously, and I,

other than somebody in my immediate work environment that does the same thing, we don't discuss it with anybody. Number one, this is not something I am accustomed to doing; and two, I am trying to be as wholly accurate as I can be because I realize the subjective opinions people will form from the information I am giving. So I am trying to be as accurate as I can and be totally objective at the same time.

There were—you know, I have reviewed literally hundreds of background investigations. I would say more than 30, more than 40, perhaps, had drug usage.

Question. And that would be beyond the college-age experimental type of use?

Answer. I am not stalling. Sometimes some individuals went to college well into their thirties. They worked on masters and Ph.D.s.

Question. Of the files you reviewed, did you have situations where the drug use was very recent?

Answer. There was some where the drug use was recent.

Question. Can you estimate roughly how many files you reviewed were—

Answer. I would say a few dozens.

Question. Did there come a time when the Secret Service instituted a particular program for people who had recent drug use?

Answer. Yes, there was.

Question. And could you describe what that program was?

Answer. I only know of it because whenever I would review a file of this nature, it was something I did not want to sign off on, so I forwarded it on to my supervisors.

They did initiate a procedure that was called the "drug letter," and there were—I don't know the exact parameters of the procedure. I am not familiar with how the procedure was developed other than I knew of its existence.

Question. Do you know when this started?

Answer. Sometime in '84. I do believe it was in 1984.

Mr. GOLDBERG. '84 or '94?

The WITNESS. I am sorry, '94. Excuse me.

EXAMINATION BY MS. COMSTOCK:

Question. Would this be a letter to your supervisor on putting an individual into a program because of their recent use?

Answer. No. The drug letter was a letter between the administration and the Secret Service. I have seen them. I have never sat and read one, but there is various conditions that are agreed upon and then acknowledged by the individual in question.

Question. And the individual in question has to sign that agreement?

Answer. Yes.

Question. For those individuals, the White House previously provided information back in '94 that there were approximately about 11—10, 11, 12 people in the program in '94. Do you recall that?

Answer. That sounds about accurate.

Question. I believe in '95 they said the number was around 18 or so?

Answer. I don't know for sure.

Question. Those situations, can you generally tell us what kind of drug use we are talking about, what kind of—if you can generally give a picture of the extent and recentness of that drug use?

Answer. I have seen cocaine usage. I have seen hallucinogenic usages, crack usages. I am not—you know, I am not that familiar with narcotics. I would say those are the big three.

Question. And were those, the people who were in this program, was it generally fairly recent use?

Answer. Yes, it was.

Question. In terms of whether or not someone had a drug letter or went into this particular program, were there any considerations given; if they had a more senior level position or not, were there considerations given what an individual's duties were?

Answer. I don't know.

Question. Were these situations usually ones that you would flag and send on to your supervisor?

Answer. Yes, they were.

Question. Do you know who Mr. Cole would then have to speak with about this?

Answer. Typically things work up the chain of command, and so he—Mr. Cole could probably best answer that question.

Question. Just to the extent you know.

How many other people besides yourself reviewed these files?

Answer. When?

Question. You started in '94; correct?

Answer. Yes.

Question. While you were there in '94?

Answer. In '94, myself and another agent.

Question. Who would that be?

Answer. Rich Stribling.

Question. Do you know in '93 who else would have been reviewing the files?

Answer. I wasn't there in '93.

Question. Do you know if Mr. Stribling was there in '93.

Answer. Mr. Stribling got there in November of '93.

Question. Mr. Wilfred testified—from the Senate Intelligence Committee testified in the Senate that he had done a report, and that it was the feeling of those who had been involved in the report that Mr. Livingstone's credentials were not sufficient to hold such an important office in the White House.

Did you ever have discussions in your office about concerns that you had about Mr. Livingstone's credentials in his job in the Personnel Security Office?

Answer. No.

Ms. COMSTOCK. In the course of the pass process, there were numerous extensions throughout the process of temporary passes. I have a few here. I will make these part of the record. This is a December 13th memo for the Secret Service from White House security; subject, extension of passes. I understand you were not there at that time, but this is a two-page list of individuals who needed to have their passes extended. Most of them were 90-day extensions. It is CGE 47029 through 30. Make this Exhibit 3.

[Undercoffer Deposition Exhibit No. 3 was marked for identification.]

EXAMINATION BY MS. COMSTOCK:

Question. This list appears to be extending the temporary passes. There are a number of new White House staffers. Mr. Stephanopoulos is included on here, Mr. Eggleston, Ira Magaziner, many individuals who had been at the White House from January 20th forward.

Did you ever have any discussions about why these temporary passes continued to be extended, you know, month after month?

Answer. Yes.

Question. Did there come a time when you had meetings—could you describe those discussions?

Answer. The discussions, we knew that these lists were processed over some period of time, and when a list like this would come in, the administrative personnel would have to go into the E-PASS system and extend the pass; that because they didn't have permanent passes. I knew that they didn't have permanent passes because background investigations and requests for permanent passes had yet to be submitted to us by the administration.

Question. In fact, when you started in '94, not too many files had probably come through to the office, had they?

Answer. No.

Question. So in '93, whoever was there, there weren't too many files going through to them; is that correct?

Answer. I couldn't say. I can only tell you what I did.

Question. Did you discuss this with your supervisor, these extensions, while you were there?

Answer. Well, there is not a lot to discuss, really. These are individuals that worked at the White House and needed access to the White House. We would honor the administration's request to extend the passes.

I do know that at a certain point in time, though, there were some concerns because of the amount of time, the number of extensions they were given where we didn't have a chance to review the backgrounds, and again from a protective concern that, you know—I don't know—because the meetings that went on to address this issue really went on at a level above me.

Question. The GAO report, White House passes, which is issued in October of 1995, page 16 of the report—I have a copy of the report here. Directing your attention to page 16, it is towards the bottom right above step 3. I am sorry—the middle paragraph on the page.

Answer. After satisfactory or—

Question. Yes. Towards the end of that paragraph it says, in the case of an extension, the Executive Office of the President requests the Secret Service to extend the

temporary pass. After one extension the Secret Service contacts the requesting office to provide a rationale for an additional extension, according to Service officials.

Were you aware of the Secret Service contacting the Counsel's Office about these additional extensions to get a rationale for them?

Answer. There were a lot of discussions and meetings, but again that was not held by myself. That was a level above me.

Ms. COMSTOCK. I will make page 16 of the GAO report Exhibit 4.

[Undercoffer Deposition Exhibit No. 4 was marked for identification.]

EXAMINATION BY MS. COMSTOCK:

Question. At any time did anyone bring to your attention that Craig Livingstone had had a criminal complaint brought against him in November 1993 regarding threats to a neighbor?

Answer. I wasn't aware of that.

Question. It has recently been made public in the newspaper that he had threatened to "beat your face in," he had threatened a neighbor to "beat your face in" because of her dog barking. Would that have been the type of material in general that would have been of concern as you reviewed a file, if that kind of information had been in a file, someone making threats against a neighbor?

Answer. Yes, it would have.

Question. Would that have been the kind of thing that you would have raised with a supervisor, that somebody had made that kind of threat?

Answer. It depends upon the assessment that the FBI wrote in the summary. We don't take—because somebody has lodged a police complaint against somebody, we don't take that in and of itself—

Question. Why don't I—I am talking generally, but if the person had acknowledged that they said this, would that have been a concern if it was a recent event?

Answer. It depends on the explanation. These things are very exploratory. Again, we are looking at the whole person and trying to make an assessment of the person, obviously by doing little snapshots in time. But an incident like this, yes, it would flag a concern, but you would have to look at more of the person.

Question. Would you have concerns about an individual who had made such a threat, what their judgment would be in terms of judging other people's suitability at the White House?

Answer. I don't think it is very related.

Question. In 1994, was there a large number of volunteers coming into the White House, to your knowledge?

Answer. Yes, there were.

Question. Did that have an impact on the system in terms of the E-PASS and the WAVES, that there were large volumes of people?

Answer. Not in 1994. It wasn't until 1995. There were a large number of volunteers that were on the access list, and so they would show up at a gate, identify themselves, provide a driver's license, some other form of identification, and be issued a temporary pass good for one day. They would turn the pass in when they left. There were, however, some volunteers that were issued permanent passes.

As far as having a pronounced effect on the system, no, the system was able to deal with it.

That in and of itself—there were many cumulative things over time where it did have a pronounced effect on the system, the number of visitors, the number of—the number of visitors and appointments and work tradesmen that came in increased dramatically. The volunteers was another pass type; interns was another pass type. So there were—I have stated previously that the system, the load on the system, increased initially by 100 percent. But it spread over a wide—many categories.

Question. When the issue of the whole FBI files and all these 400 some, and now there are more files we have learned about, first came to public awareness, did Craig Livingstone ever contact you or anyone else—

Answer. Me, no.

Question. Are you aware of him calling anyone at home or others in the Secret Service to contact them about this matter?

Answer. At home, no.

Question. Are you aware of him contacting individuals?

Answer. As I think we are both aware, there was Agent Cole's testimony as to what Mr. Livingstone told him on the 7th or the 12th. I am not sure of the dates. That is the only thing I am aware of.

Question. But you weren't aware of him contacting others?

Answer. No.

Question. Do you know of him contacting any of the secretaries or women who worked in the WAVES office?

Answer. Not that I know of.

Ms. COMSTOCK. Did you want to ask some questions?

Mr. GOLDBERG. Yes.

EXAMINATION BY MR. GOLDBERG:

Question. Mr. Undercoffer, exactly, if you remember, when did you start at the White House?

Answer. January 4, 1994.

Question. What precisely are your responsibilities?

Answer. Okay. Again, I am a special agent for the Secret Service assigned to the White House Division. I review background investigations, any investigations conducted on the complex, any investigations that needed conducting on the complex, investigations that we would conduct, we were responsible for doing. Issues like the access control is one of our responsibilities. The issues are so varied that—and responsibilities so varied—anything that comes up.

Question. Let me ask you about the background investigations. How many do you think you would do in a given month? You weren't there at the start of the administration, so the numbers probably tailed off to some degree in '94; is that accurate?

Answer. There was at a point in '94 a lot of background investigations, but then they died down.

Question. Is that because the backlog from '93 had been publicly identified, or do you have an explanation for it?

Answer. I can only speak as things came into our office. There were a lot of background investigations that came in all at once, and we would do them.

Question. Once the numbers got down to normal, what is the average per month that you would look at?

Answer. We would probably do 40 a month.

Question. When you look at a file, are you only looking at the FBI summary, or do you have your own Secret Service data bases that would have exclusive information you would also run a name against?

Answer. There is two types of backgrounds that are done. One is for pass requests, and that is the FBI summaries. We will do military, and they contain DIS investigations. And the other is backgrounds that we ourselves do for tradesmen that come in. They will—if there is a problem with an individual, they will include police reports and information from our own data bases.

Question. That last clause, "and information from our own databases," that means for all three of the previous categories?

Answer. No. Only for background investigations that we do.

Question. So for a hard pass you would not tap into your own data base to see if you had information that the Bureau had not uncovered that would be relevant?

Answer. I am not sure where in the procedure it is done, but a records check of an individual's name is run. Before somebody is first brought into the system, when they are given a temporary pass, we run their name in our system.

Question. So at some point everybody who you have reviewed has been run through your own data base?

Answer. Yes.

Question. That has nothing to do with anything. I was curious about that.

What are your responsibilities for the data base systems?

Answer. Which—

Question. The E-PASS and the WAVES?

Answer. I administratively oversee them. I do some technical components of them. If there is changes that need done or for putting in—for doing add-ons or going to expand the system, I will help design the system.

Question. You said you started January 4, 1994. Did you know Nancy Gemmell at all?

Answer. No.

Question. Or Tony Marceca?

Answer. No. No, I didn't.

Question. So you don't have direct knowledge of any event of '93. You are here more as an expert witness than a fact witness?

Answer. Yes.

Question. How about Lisa Wetzl; did you deal with her?

Answer. Yes, I did.

Question. Was she the person who would bring to your attention any problems with names?

Answer. Lisa had brought names to my attention, as did Craig.

Question. Do you recall how often that might have happened?

Answer. My estimate over the whole time period from when I first became aware of the problem until we had resolved it was about 20 names. This is for everybody in the system.

Question. I want to ask you about the audit you did, because you relied on a July 8th, 1993—I am looking at the dates there—'83 list that, correct me if I am wrong, somebody found in a desk drawer at some point?

Answer. No, it was in our file drawer.

Question. Are you able from either WAVES or the E-PASS to recreate lists that were provided to the Office of Personnel Security in '93?

Answer. We cannot do it from WAVES.

Question. I think the testimony in the Senate was you never provided a list from E-PASS because of the security—

Answer. I have been told, and since—I am not sure whether I learned it exactly before or exactly after the Senate hearings, on March 31 of 1993 we provided them with a listing from E-PASS. Since then I have reproduced that list.

Question. Is it consistent with your findings?

Answer. Yes, it is. There are small variations in that the way the systems are set up, when a pass—all the information is inputted into the E-PASS system, so when somebody is made active and when somebody is made inactive, it is entered into the E-PASS system.

The E-PASS system, typically we will wait until midnight that night to transmit it to the WAVES system, and during the day it immediately transmits that system to the access control system, which allows somebody in and out of the White House. So oftentimes you will see a delay of a day because it waits until midnight at low traffic times. If we had a busy day, I am saying that beginning in 1993 the load on the system increased by 100 percent and then dropped down to 50 percent above what it had been used to load on the system.

Sometimes it would take 3, 4 and 5 days for the information to migrate from E-PASS over to WAVES. So to stay consistent with the printout, these charts and graphs are consistent with the WAVES printouts, and the status date is the date that information arrived in the WAVES system.

Question. I guess my question was consistent with the March 31, 1993 E-PASS you say was provided to OPS?

Answer. Yes, it is. That list was a—the parameters for the search on that list were all passes that were issued prior to January 20, 1993 but were still active as of March 31, 1993.

Question. Have you reviewed that list recently; do you know how many names were on that list?

Answer. I believe there is about 6,000 names on that list.

Question. Do you know, was it specifically requested from OPS?

Answer. I don't know.

Question. Do you know who it was provided to in OPS?

Answer. Again, I don't know. But I do know that the list was requested. I do know that one of our programmers wrote a special program for it. The reason I know it was written and run on March 31st is because looking at the executable file that generated the report, the compiled data stored in the coded form in that—in the executable program.

Question. Does that E-PASS list distinguish between active and inactive, or is it only the active in that time frame?

Answer. It only listed active pass holders.

Question. Let me go back to the WAVES list. Does that distinguish between active and inactive?

Answer. There are several types of WAVES lists. This is an active only list, attachment number—the WAVES list dated 7-8-93 and also the WAVES printout dated May 12 of '93 only show active passholders. The lists dated for May and June of '93 show people that became inactive in the month of June, and the very first list I spoke of shows only inactive people. We do produce a list of active and inactive people. Today it is roughly 24,000 people.

Question. That would go back some 8 years?

Answer. Yes it does.

We can produce a list in any form you want. All we have to do is—if you tell me your search parameters, we will code a report, a report generated to produce a list.

Question. Are you aware of any parameters that Ms. Gemmell requested—

Answer. No. I wasn't there when Nancy Gemmell was there.

Question [continuing]. In your review?

Answer. No.

Ms. COMSTOCK. Where it says "active" and "inactive," where would that be located?

The WITNESS. Neither of these are from A and I lists, but there will be a—A and I—there would be a column that would say "status," and it would say "A" or "I," or it could spell out "active" or "inactive," whatever—a lot of these are ad hoc inquiries, ad hoc reports. Typically, though, they would say "A" or "I".

EXAMINATION BY MR. GOLDBERG:

Question. Let me just get through this quickly, because I know you have testified ad nauseam on this. Just to clarify, but you have no idea of what list Ms. Gemmell requested and what form it would have been, and there is no way to recreate that to your knowledge?

Answer. From WAVES, no. The only list I know was given to the pass office, and it was March 31, 1993. As to who in that office it was given to, I can't speak to that. It was generated by the E-PASS system, and that can be recreated.

Question. You were going to explain the AGIN versus space AGIN?

Answer. It is a very easy one, and it is an operator error. If you look at that printout, you will see that first name on the list is "space, A-G-I-N". The characters on the printout are "space, A-G-I-N." That tells me that when his name, this name and this record, was created, rather than striking the H, because obviously the first name is Joseph, the middle name is White House, obviously the operator struck the space bar instead of the H. The space bar has a lower numeric value associated with it than does any other character. That is why it pops up as the first one on the list.

That was an anomaly that ran around the system. If you are doing searches for Hagin, type in H-A-G-I-N, you will not find it, and if you do a search for A-G-I-N you are not going to find that either. You have to be familiar with how things work.

Question. Does the White House list that you did your audit on have "space, A-G-I-N"?

Answer. No. Somebody typed "A-G-I-N" on this list. But this is not a Secret Service-generated list.

Question. But if that is a list of names that were—requests were made, it has been represented to us, if they couldn't have typed in from a Secret Service list "A-G-I-N" and "H-A-G-I-N," does it follow that they must just have been copying it off of a list like this?

Answer. It is very apparent that somebody copied this mistake.

Question. How can you account for the mistakes on the White House list that has the deactivation dates that you said were inaccurate? Have you gone back to find out was it operator input error?

Answer. On these, no. These are not mistakes in our system. These are mistakes from the people that were probably up at midnight with lists and lists of printouts going through writing them down in pencil. These are all—these kinds of errors would be typos and somebody else taking the list and trying to read handwriting and type them on here.

Mr. GOLDBERG. That is all I have. Thank you.

EXAMINATION BY MS. COMSTOCK:

Question. We are just about finished here. This is CGE 47837. It is a memo to Craig Livingstone from Claude Taylor of May '94 regarding security violations. Is Claude Taylor someone who is at the Secret Service?

Answer. No. Claude Taylor used to be in charge of the volunteer office, and he was charged with taking care of all the volunteers.

Question. Security violations by volunteers that were brought to your attention in your office?

Answer. No. I am at a loss to speak to this.

EXAMINATION BY MS. COMSTOCK:

Question. This isn't something you have ever seen before, this document?

Answer. No.

Ms. COMSTOCK. I did want to make a document we had previously discussed, which was CGE 470239, which was the extension of passes memo of December 13, 1993—we discussed that as an example of the lists of extensions you had received. I wanted to make that Exhibit 5.

[Undercoffer Deposition Exhibit No. 5 was marked for identification.]

EXAMINATION BY MS. COMSTOCK:

Question. Then I did want to just briefly return to, in the backgrounds that you reviewed, were there ever arrests, arrest records in any of those backgrounds that had been forwarded to you?

Answer. Yes, there were.

Question. And did any of the arrests involve drugs?

Answer. I honestly don't recall.

Question. Do you know if the arrests involved any tax violations?

Answer. I don't believe so.

Question. Or any violent—any kind of assaults or violent arrests that were forwarded to you?

Answer. I would say typically no on violence. Violence are things—you know, any—like I said, we reviewed the background investigations looking for, you know, tendencies towards violent behavior, and I am answering it in a negative because it is not jogging my memory.

Question. Okay. So that would include, you know, any kind of assaults or rape or anything like that would be in sort of the violent category?

Answer. I really don't recall.

Question. Okay. This is a May 5th, 1993 memo for James P. Farrell, security officer at the National Security Council, from William Kennedy, and the subject was compartmented clearances. It specifically refers to allowing Craig Livingstone to have such a clearance and notes his full field background investigations having been conducted.

Do you have any knowledge of whether Mr. Livingstone's background had been done in May of 1993? I know you previously stated you weren't there in 1993, but just to the extent that you may know.

Answer. I don't know.

Question. Do you know what compartmented clearances were?

Answer. Yes, I know what that is.

Question. Can you describe what that is?

Answer. It is a special access clearance.

Question. And what does that mean?

Answer. Well, what it means is because somebody—what it means is because somebody might have a secret or a top secret clearance, it doesn't give them access to a whole spectrum of information. There are some things that are compartmentalized.

Like within our agency, a good example would be within our agency there may be things that Mr. Clancy would—he and I would have the same level of clearance, but there are some things that are special access that he has—he is allowed to know and I'm not, because I don't have a need to know. But we don't—the Secret Service at the White House, we have nothing to do with security clearances for the administration.

Question. Okay. That is entirely separate from anything that you are working with?

Answer. Yes. Again, we issue passes for access to the complex.

Ms. COMSTOCK. I believe that is all we have for today. Thank you. If we could get some of those charts in the smaller version to include in the report, that would be great. Can we get copies of those also?

The WITNESS. You will get copies of these also.

[Whereupon, at 12:18 p.m., the deposition concluded.]

Mr. CLINGER. And I am now pleased to recognize the gentlewoman from Illinois, Mrs. Collins, for whatever statement she may wish to make.

Mrs. COLLINS OF ILLINOIS. Thank you, Mr. Chairman.

Before making my statement, I would like to ask unanimous consent that those members who do not wish to use their 5 minutes for their opening statements be allowed to put them in the record.

Mr. CLINGER. Without objection, so ordered.

Mrs. COLLINS OF ILLINOIS. Thank you, Mr. Chairman.

Today's hearing is designed to shed additional light on the question of where the list of names that was used by Nancy Gemmell and Anthony Marceca to request FBI files came from. As I have said at previous hearings, this is an appropriate inquiry for the

committee. I and all the rest of us agree that it is wrong to request FBI files on former employees and that it is proper for this committee to ask the question of how this came about as well as whether the information was then improperly disseminated.

On June 20, 1996, the Secret Service witnesses before us today testified before the Senate Judiciary Committee that they did not believe the list was generated by them, but the actual evidence suggests a less clear picture.

For example, during our depositions of the witnesses, it was noted that in one case the White House requested the previous report on a person named Agin, A-G-I-N. It now appears that there was no such person. The correct individual was named Hagin, H-A-G-I-N.

It just so happens that a Secret Service list from 1993 also listed the individual as Agin with a space rather than an H at the beginning of the name. The significance of this is that it suggests that the White House Office of Personnel Security was, in fact, working off of a Secret Service list and not a list that it generated.

This was further confirmed by Lisa Wetzl, who recalls both Ms. Gemmell and Mr. Marceca working off a list with a distinctive green and white computer paper used by the Secret Service.

The Senate hearing also showed other problems with the Secret Service list. For example, in what was described as a computer glitch, names that were being deactivated from one Secret Service pass holder list were not automatically deactivated from another list.

The committee has also received a list from the White House dated March 31, 1993, which may have been generated by the Secret Service. That list is entitled "E-PASS." Both admit holdover pass holders by name and include among those names George Bush, James Baker, and Marlin Fitzwater.

In addition, the committee received a list generated in February 1994 as part of an effort to develop a list of White House staff for such things as invitations to the White House Easter Egg Roll. That list has names such as Spencer Abraham and James Baker as working in the White House. The source of the names is listed as the Secret Service.

A follow-up agenda from a July 7, 1994, meeting between White House personnel and Secret Service shows a complaint that former employees such as James Baker continued to show up on Secret Service lists.

The more we can learn from the Secret Service concerning their lists, the more we can learn whether the request for FBI files of former employees were the result of a misunderstanding of which names on the Secret Service list were active or the result of a more sinister plot by Mr. Marceca and Mr. Livingstone.

I would also note that after several weeks of intensive investigation, we still have no evidence that Mr. Marceca knowingly requested the files of employees no longer employed at the White House nor that any of the information was improperly disclosed.

The other interesting fact about the FBI files request is that they were made for all other offices, such as the GSA, before any requests were made for White House staff. If there were an underhanded effort to get the files on former White House employees,

presumably those files would have been requested first and not last.

Mr. Chairman, I hope we will get to the bottom of this issue, but whether we can or cannot, we have learned some important lessons about the process by which the FBI files were obtained by the White House. Under the procedures dating back to the 1960's, it was easier to order an FBI file than to order a paper clip. No signatures were required, and no questions were asked.

Therefore, I have introduced a bill, H.R. 3785, that will significantly change the procedures. First, it will require all individuals to give permission for the White House to obtain their security file. This is similar to the process by which tax information is requested. There would be only extraordinary exceptions to this rule, in which case the White House Counsel and the Attorney General would have to sign the request. These procedures have now been adopted by the White House through regulation, but I believe they should be made permanent.

We have also learned that the reason for the so-called Update Project was that each President took all of his files, including the FBI files, with him when he left office. Well, I see absolutely no reason why sensitive FBI files should be retained in the Presidential library for researchers to review after a number of years have passed. My bill would require the FBI to retain custody of these sensitive files at the end of an administration.

Mr. Chairman, I hope you will carefully review my bill, and perhaps we can enact it before the end of this year.

Finally, I would like to clean up a few loose ends from our last hearing. You may recall that at that hearing I was concerned by the efforts of many on your side of the aisle to suggest that campaign work in some way would disqualify someone from a job. Well, I agree with the view that Mr. Livingstone was not qualified for his job. That was because of his lack of background in sensitive security matters, not because he was engaged in campaign activities.

Just 1 day after our hearing, I came upon the following advertisement in Roll Call. It is an ad, and I am quoting, Deputy communications director, end quote, which states—and I am quoting again—Major committee seeks Republican communications expert. Must have 3 to 5 years Hill experience with at least some campaign work required, end quote.

Obviously, some of your Republican colleagues here on the Hill not only consider campaign work desirable, they require it. Now I would not speculate on why a committee staffer should be required to have campaign experience, but I just wanted to bring that to your attention.

Mr. Chairman, I appreciate your recent letter to me in which you provided advance notice of the documents you planned to introduce into the hearing record. Your letter limited the universe of documents from over 80,000 documents we have received to several carts of documents we received from the White House. We need to work more closely, so that members will not be surprised by documents at a hearing.

I continue to urge you to release all the documents held by the committee unless claims of privilege or privacy exist. I am pleased

that you have committed to making all of the depositions part of the record on August 2, at the end of the deposition period.

My letter of July 11, 1996, to you recounts some of the serious concerns the minority has had with the procedures being followed by the committee, and I urge you to take them seriously in the future to avoid any of the problems that have arisen. I specifically object to the scheduling of depositions without the proper 3-day written notice required under our committee rules.

Last Friday, we received a written notice stating that FBI agent Dennis Sculimbrene would be deposed on Tuesday, July 16. I would ask unanimous consent to make that notice part of the record.

Mr. CLINGER. Without objection.

[The information referred to follows:]

MEMORANDUM

July 12, 1996

To: Democratic Members, Committee on Government Reform and Oversight

From: Democratic Staff

Re: Depositions

Chairman Clinger has scheduled two controversial depositions for next week that may be of strong interest to Members: former FBI agents Gary Aldrich and Dennis Sculimbrene. Mr. Aldrich is the author of the highly controversial book "Unlimited Access: An FBI Agent Inside the Clinton White House". Mr. Sculimbrene was assigned to the White House to do background investigations, and has expressed hostility for the Clinton White House (see attached FBI Memo for the File).

Mr. Aldrich and Mr. Sculimbrene will be deposed on Tuesday July 16, in room 2203 at 10:00 a.m. and 1 p.m. respectively.

Mrs. COLLINS OF ILLINOIS. Later that day we informed our members of the deposition so they could ask questions. I ask unanimous consent that our notice to members be made a part of the record.

Mr. CLINGER. Without objection.

[The information referred to follows:]

MEMO

To: Minority Staff, Government Reform and Oversight

From: Majority Staff

Re: Deposition Schedules

Date: 7/11/96

TUESDAY, July 16

10a.m. Gary Aldrich

1p.m. Dennis Sculimbrene

TUESDAY, July 16

10a.m. George Saunders

THURSDAY, July 18

10a.m. Craig Livingstone

WEDNESDAY, July 23

10a.m. Christine Varney

1p.m. Jane Sherburne

Mrs. COLLINS OF ILLINOIS. On Monday, July 17, our staff was informed by yours that the deposition would occur on Monday afternoon, notwithstanding the written notice. I would note that members were out of town that day. Our staff objected, but, contrary to the committee rules, the deposition went forward.

Your letter to me acknowledges that there was no proper written notice at the time but that lower-level staff had discussed the tim-

ing of depositions. Now, I think this was an underhanded effort to deny the minority of its rights to question witnesses, and I strongly object.

The abuse of procedures will only give rise to additional claims that the purpose of these hearings is a partisan effort to smear the President and those who work for him.

And I yield back the balance of my time.

Mr. CLINGER. I thank the gentlewoman for her opening statement.

Mr. MICA. Mr. Chairman, I have a parliamentary inquiry. This committee voted out a contempt citation against Mr. Quinn and some other White House officials about documents. I am wondering if the proper procedure—since this is a hearing, it is not proper to call that up—is it necessary to, if we want to bring that contempt citation, to bring that issue up again at a business meeting, or can it be done directly at the floor?

The reason for that is, the White House has provided us with some of the documents that we have requested. However, as you know, there are blank pages and missing information and they continue to thwart the work of this committee, and I am wondering what is the proper form of parliamentary inquiry to bring that up.

Mr. CLINGER. In response to the gentleman's parliamentary inquiry, the contempt citation that was voted by the committee some time ago remains outstanding. It has not been acted on in the full House of Representatives. That resolution could be scheduled to be brought forward. It does not require another vote in the committee. In other words, it would be ripe to be considered on the floor of the House of Representatives. It does not require further action here.

We are in the process of negotiations, with the hope that we will, in fact, resolve this with the administration, that they will—in other words, we cannot permit the White House to determine what is responsive to our subpoena and what isn't, and we need to see what is being held back, what is being redacted, in order to make that determination. And I think we have had negotiations. I hope that today we will have that resolved and that may clear up the matter.

Mr. MICA. And our next business meeting is next week; is that right?

Mr. CLINGER. Next week.

Mr. MICA. Would it be proper to offer a motion to ask the House to consider that contempt citation at that time?

Mr. CLINGER. I think the leadership can make that kind of determination whenever they choose to do so.

Mr. MICA. I intend to pursue that. Thank you, Mr. Chairman.

Mr. CLINGER. The gentleman from Pennsylvania.

Mr. FATTAH. Mr. Chairman, I have a parliamentary inquiry. Is there any point at which the committee, if it improperly uses its authority to participate in a partisan witch-hunt, has violated the House rules in any way?

Mr. CLINGER. The gentleman does not state a parliamentary inquiry.

We are now prepared to swear in our witnesses. And, gentlemen, it is the custom of this committee to swear all witnesses so that

we do not prejudice the rights of any witness, and if you have no objection, I ask you to raise your right hand.

[Witnesses sworn.]

Mr. CLINGER. Let the record show that all three witnesses answered in the affirmative.

I understand that you do not have opening statements but that, Mr. Libonati, you have a presentation to make at this time, and you are recognized to proceed.

STATEMENT OF JOHN LIBONATI, SUPERVISORY SPECIAL AGENT WITH THE U.S. SECRET SERVICE; JEFFREY UNDER-COFFER, SPECIAL AGENT WITH THE U.S. SECRET SERVICE FOR ACCESS CONTROL BRANCH; AND ARNOLD COLE, SPECIAL AGENT WITH THE U.S. SECRET SERVICE, SUPERVISOR OF THE ACCESS CONTROL BRANCH

Mr. LIBONATI. Thank you, Mr. Chairman.

Mr. Chairman, members of this committee, my name is John Libonati, Supervisory Special Agent with the U.S. Secret Service. From 1989 to early 1991, I served as the Supervisor of the White House Access Control Branch. With me today are Supervisory Special Agent Arnold Cole, who has served in that same capacity at the White House since May 1991, and Special Agent Jeffrey Undercoffer, who has been assigned to that branch since January 1994.

I thank you for this opportunity to clarify the Secret Service role or lack thereof in relation to recent stories of FBI file requests made by the White House Office of Personnel Security.

Several weeks ago, following the revelation that FBI background investigation files may have been improperly obtained by White House employees, media stories surfaced which attribute this incident to the use of outdated or inaccurate Secret Service printouts. Immediately, the Secret Service, concerned not only about the potential administrative error but the integrity of our access system, undertook an extensive, thorough review of our White House access systems, processes, data bases, printouts, anything that might shed some light on this issue.

As this story began to unfold, we were advised that the FBI background files of 476 individuals were requested by the White House sometime in 1993 or 1994 and that many or most of these individuals were not active White House employees but former employees from previous administrations.

It is important to emphasize an important fact at this time. The request for FBI files by any White House administration is made solely for active employees. This is an essential fact in understanding the role that Secret Service printouts are alleged to have played in this matter.

Upon receipt of two lists which total 476 individuals, the Secret Service set out to determine if, in fact, we had provided any list which would have inaccurately reflected any or all of these 476 names as active pass holders in 1993 or 1994. This issue, the accurate status, active or inactive, of the 476 White House pass holders on Secret Service printouts, stands as the singular most important issue when examining the data that we will present to you today.

Before I present our data, I would like to explain briefly the Secret Service access system and the pass holder issuance process.

The Secret Service maintains a computerized access and pass holder system, referred to as E-PASS, which relies upon a computer data base. The system produces hard passes and generates computer printouts. The printouts are not designed, and should not be used, for other purposes. The printouts are produced for uses related to access issues.

Should these printouts be used for other purposes, such as internal telephone directories or Easter egg lists, they may not and probably will not work for those purposes.

The passes which are issued are basically building passes. The issuance of these passes allows the pass holder access into the White House complex. The issuance of a pass means nothing more. It does not indicate, for example, that the pass holder has a security clearance. The Secret Service plays no role—I repeat, no role—in the issuance of security clearances to White House employees.

White House passes are issued at the direction of the administration. The administration determines who receives a pass and what type of pass is issued. FBI backgrounds of active—active employees are requested by the White House, not the Secret Service. These backgrounds are reviewed by the White House Office of Personnel Security for suitability concerns.

Following this review, should the administration decide to issue a permanent pass, the Secret Service reviews the background summary for issues concerning physical security. Absent any physical security concern, if and when directed, the Secret Service issues a pass.

Information provided to the Secret Service by the administration and/or the pass holder is entered into a computer data base for access purposes, a computer photo is taken, and a pass is issued.

A pass is also made inactive solely at the request of the White House. It is the responsibility of each administration to identify those pass holders whom they wish to remove from the active pass holder list. Regardless of how obvious it may seem to anyone in the Secret Service, we cannot, should not, and do not inactivate a pass without clear instruction from the administration.

Now to the issue of lists or printouts. The Secret Service has for many years provided printouts containing pass holder information to the White House Office of Personnel Security. Although at any given time some variation of a list may have been provided, there have been three types of lists which have been routinely provided to both the current and past administrations. Those are: first, a master list of both active and inactive pass holders. This list contains approximately 24,000 names and goes back in time approximately 8 years. This list designates the status of the individuals with the letters "A" or "I" for "active" and "inactive." Second, an active pass holder list containing the names of all active pass holders; and third, a temporary active pass holder list which will reflect the expiration date of a temporary pass.

Again, these printouts should be used for the sole purpose of reconciling a pass holder's status with active employment status at the White House. Since the requests for FBI files are restricted to active White House employees, the fundamental question relating to the Secret Service role or lack thereof in this matter is as follows: Did the U.S. Secret Service produce and/or provide any list

or lists which would have inaccurately reflected these 476 individuals as active pass holders?

Absent the opportunity to thoroughly examine the alleged flawed list, the Secret Service was initially left to rely on technical computer audits. Those audits, conducted by my colleague, Mr. Undercoffer, clearly establish that our system did not create a list which would inaccurately reflect the inactive former employees as active.

The audit confirms that from 1984 to July 1993, 379 of the 476 names on the subject list were made inactive. We can account for eight errors which we will explain, and I would also note that these errors did not compromise the access security system.

Understanding that the recovery and examination of original printouts from the time periods in question would clearly serve as the best evidence to support or disprove the erroneous list allegation, the Secret Service continuously conducted exhaustive searches of our offices and files. I am pleased to inform the chairman of the committee that these searches have resulted in the recovery of several original pass holder printouts from crucial time periods in 1993 as well as original printouts from 1991 and 1994.

These original documents clearly support our conclusion that 379 of the 476 names in question became inactive progressively from February 1984 through July 8, 1993, and were accurately reflected as such during the time period in question. Additionally, 89 of these names were reflected as active—accurately reflected as active. With your permission, Mr. Chairman, I will use the charts and exhibits to explain our findings.

Mr. Chairman, the chart to my far right is a bar graph. I believe we provided copies for the members to review as I go over this.

Mr. LANTOS. Mr. Chairman?

Mr. CLINGER. Have they been provided for everybody?

Mr. LANTOS. May I ask a parliamentary inquiry?

Mr. CLINGER. The gentleman will state his parliamentary inquiry.

Mr. LANTOS. Mr. Chairman, you commenced this hearing by indicating that none of our witnesses had a prepared testimony. It is perfectly obvious, listening to Mr. Libonati, that he has a very carefully crafted and prepared testimony.

I find it puzzling why normal committee procedures are not followed in demanding that witnesses who have prepared testimony submit these in a timely fashion for the study of members of this committee, and I would be grateful if you would attempt to answer my parliamentary inquiry and pose the question to Mr. Libonati as to why he and his agency did not follow the well-established procedures of this committee and, indeed, all committees in demanding that witnesses submit prepared testimony in a timely fashion to provide members of the committee an opportunity to study them.

Thank you, Mr. Chairman.

Mr. CLINGER. I am not sure that that was a parliamentary inquiry. It has been the custom, there has been a custom to have that happen, but I would indicate to the gentleman that there is precedent for allowing Mr. Libonati to make his presentation.

Mr. Nussbaum, who appeared before the committee some weeks ago, also made a fairly lengthy presentation which had not been

made available to members of the committee. We have not, nobody on this side has seen these remarks.

I think the gentleman would agree that it is useful to have a presentation from the Secret Service as to the procedures which they employ. I don't believe or can't see that there is anything partisan or anything unfair or that is going to prejudice anybody by virtue of his presenting this testimony, and for that reason I would indicate that Mr. Libonati is able to provide——

Mr. KANJORSKI. Mr. Chairman, point of order. Could we ask the witness to give that to some staff member so the members can have this testimony?

Mr. CLINGER. I was not aware that Mr. Libonati had this in writing.

Mr. LIBONATI. Sir, I do have it in writing. It was not a prepared formal testimony that is staffed through the procedures of the executive branch and staffed out to all the departments. I am using these notes in the sense of conducting a briefing. But I understand the concern and would be glad to provide my briefing notes to any member of the committee.

Mr. CLINGER. We will have those notes available to all members. [The information referred to follows:]

Mr. Chairman, members of this Committee, My name is John Libonati, Supervisory Special Agent with the United States Secret Service. From 1989 to early 1991 I served as Supervisor of the White House Access Control Branch. With me today are Supervisory Special Agent Arnold Cole, who has served in that same capacity at the White House since May of 1991 and Special Agent Jeffrey Undercoffer, who has been assigned to that Branch since January of 1994 I thank you for this opportunity to clarify the Secret Service role or lack thereof in relation to recent stories of FBI file requests made by the White House Office of Personnel Security.

Several weeks ago, following the revelation that FBI background investigation files may have been improperly obtained by White House employees, media stories surfaced which attributed this incident to the use of "outdated" or "inaccurate" Secret Service printouts.

Immediately, the Secret Service, concerned not only about the potential administrative error, but the integrity of our access security, undertook an extensive, thorough review of our White House Access System, processes, databases, printouts -- anything that might shed some light on this issue.

As this story began to unfold we were advised that the FBI background files of 476 individuals were requested by the White House sometime in 1993 or 1994 and that many or most of these individuals were not active White House employees but former employees from previous administrations.

It is important at this time to emphasize an important fact. The request for FBI files by any WHITE HOUSE administration is made, solely for ACTIVE employees. This is an essential fact in understanding the role that Secret Service printouts are alleged to have played in this matter.

Upon receipt of two lists which total 476 individuals the Secret Service set out to determine if, in fact, we had provided ANY LIST which would have inaccurately reflected any or all of these 476 names as ACTIVE passholders in 1993 or 1994.

This issue, the accurate STATUS, ACTIVE or INACTIVE, of the 476 White House Passholders on Secret Service printouts stands as the singular most important issue when examining the data we will present today.

Before I present our data I would like to explain briefly the Secret Service Access system and the passholder issuance process.

The Secret Service maintains a computerized Access and Passholder System, referred to as EPASS, which relies upon a computer database. The system produces hard passes and generates computer printouts. The printouts are not designed and should not be used for other purposes. The printouts are produced for uses related to access issues. Should these printouts be used for other purposes, such as internal telephone directories or Easter Egg lists they may not and probably will not work for those purposes.

The passes which are issued are basically, building passes. The issuance of these passes allows the passholder access into the White House complex. The issuance of a pass means nothing more. It does not indicate, for example, that the passholder has a security clearance. The Secret Service plays NO ROLE in the issuance of Security Clearances to White House Employees.

White House Passes are issued at the direction of the Administration. The Administration determines who receives a pass and what type of pass is issued.

FBI backgrounds of Active Employees are requested by the White House not the Secret Service. These backgrounds are reviewed by the White House Office of Personnel Security for suitability concerns.

Following this review, should the Administration decide to issue a permanent pass, the Secret Service reviews the FBI background summary for issues concerning PHYSICAL SECURITY. Absent any physical security concern, if and when directed, the Secret Service issues a pass.

Information provided to the Secret Service by the Administration and/or the passholder is entered into a computer database for ACCESS PURPOSES, a computer photo is taken and a pass is issued.

A pass is also made INACTIVE solely at the request of the White House. It is the responsibility of each Administration to identify those passholders whom they wish to remove from the Active Passholder list. Regardless of how obvious it may seem to anyone in the Secret Service, we cannot, should not and do not Inactivate a pass without clear instruction from the Administration.

Now to the issue of lists or printouts.

The Secret Service has for many years provided printouts containing passholder information to the White House Office of Personnel Security.

Although at any given time some variation of a list may have been provided, there have been three types of list which have been routinely provided to both the current and past Administrations:

Those are -

- * A master list of both Active and Inactive passholders. This list contains approximately 24,000 names and goes back in time approximately 8 years. This list designates the status of individuals with the letters "A" or "I" for Active and Inactive.

- * An Active passholder list containing the names of all Active passholders.

- * A temporary passholder list which will reflect the expiration date of the temporary pass.

Again, these printouts should be used for the sole purpose of reconciling the passholder status with active employment status at the White House.

Since the request for FBI files are restricted to ACTIVE White House employees the fundamental question relating to the Secret Service role or lack thereof in this matter is as follows:

Did the Secret Service produce and/or provide any list or lists which would have inaccurately reflected these 476 individuals as ACTIVE passholders?

Absent the opportunity to thoroughly examine the alleged, flawed list, the Secret Service was initially left to rely on technical computer audits. Those audits, conducted by my colleague, Mr. Undercoffer clearly establish that our system did not create a list which would inaccurately reflect the Inactive former employees as active. The audit confirms that from 1984 to July of 1993, 379 of the 476 names on the subject list were made Inactive. We can account for 8 errors which we will explain. I would also note that these errors did not compromise the Access Security System.

Understanding that the recovery and examination of original printouts from the time periods in question would clearly serve as the best evidence to support or disprove the "erroneous list" allegation, the Secret Service continuously conducted exhaustive searches of our offices and files. These searches have resulted in the recovery of several original Passholder printouts from crucial time periods in 1993 as well as original printouts from 1991 and 1994.

These original documents clearly support our conclusion that 379 of the 476 names in question became Inactive, progressively from February of 1984 through July 8, 1993 and were accurately reflected as such during the time period in question. Additionally 89 of these names were accurately reflected as Active.

With you permission Mr. Chairman I will use the charts and exhibits to explain our findings.

1. the 94 names who were INACTIVATED from 1984 to 1989 and downloaded as INACTIVE in 1989.

2. Bar graph and WAVES INACTIVE list from August of 1991 which shows 182 of 476 as INACTIVE.

3. May 2, 1993 WAVES ACTIVE list - 368 of 476 are not on and should not be on this list.

4. July 3, 1993 WAVES ACTIVE list - 379 of the 476 not on and should not be on this list.

5. Inactive list dated 8/19/94, 429 are accurately reflected as Inactive

Finally and perhaps most significantly is this list, which was provided to the Secret Service by this Committee two days ago.

** This list was generated from our EPASS database on 3/31/93.

** The heading reads EPASS, possible Administration Holdover passholders by name. there are over 3,000 names on this list.

** Since some prominent Republicans appear on the list some may have concluded that this is a flawed Secret Service list. The proverbial fly in the ointment.

** On the contrary- this list perhaps more than the others best supports our testimony regarding the system, and the process and more significantly supports our conclusions concerning the list of 476.

** From the list 476 names whose FBI files were requested 408 of them do NOT appear on this EPASS list. That is because they were Inactive before this date or not yet activated.

one said it was a list - it has been alleged that no one contacted him and he was not on the list of 476 names. one person the list was created before we were returned

** This comprehensive list was produced for the White House Office of Personnel Security for the express purpose of assisting them in reconciling those names of Active Passholders with their intended holdovers. They were to review this list and inform us of those they wished to make INACTIVE. In fact, over a period of months they did just that. Over the next several months upon notification, the Secret Service did remove many of these people from the ACTIVE list.

*July
1993*

This EPASS list best exemplifies how the system works and supports our conclusions regarding the accuracy of the status of the 476 names.

Additionally as to references made to the appearance of the name George P. Bush and President George Bush. George P. Bush, the President's grandson was issued a pass. The President Bush entry was used as a test run by the Secret Service.

This EPASS list together with the recovered lists from years past and the technical audit all support the same conclusion that those persons who were INACTIVE, 379 cumulatively through July 1993, did not appear on any Secret Service list as Active Passholders. 94 of them NEVER appeared in our EPASS databases as ACTIVE

Does the Secret Service generate a printout which contains, amongst other names, the 476 names in question. Yes.

Contained amongst the master list of 24,000 Active and Inactive Passholders are the names of the 476 people. On that Master List is a Topic Field entitled "Status". Under the Status Field and beside each name is an "A" for Active and "I" for Inactive.

Could names of the 476 people whose FBI files were requested have been copied from a Secret Service List. Yes. The names could have been copied from a Secret Service List.

We believe, however, that the facts we have presented today, clearly support a conclusion that the Secret Service did not provide any list which contained gross inaccuracies that would that would have caused the inappropriate request for FBI background files of former White House employees.

Mr. Chairman, members of this Committee, I apologize for the length of this briefing, however, it is difficult to cover this subject matter in a brief opening statement.

My colleagues and I will be glad respond to your questions.

Mr. Chairman, members of this Committee, My name is John Libonati, Supervisory Special Agent with the United States Secret Service. From 1989 to early 1991 I served as Supervisor of the White House Access Control Branch. With me today are Supervisory Special Agent Arnold Cole, who has served in that same capacity at the White House since May of 1991 and Special Agent Jeffrey Undercoffer, who has been assigned to that Branch since January of 1994 I thank you for this opportunity to clarify the Secret Service role or lack thereof in relation to recent stories of FBI file requests made by the White House Office of Personnel Security.

Several weeks ago, following the revelation that FBI background investigation files may have been improperly obtained by White House employees, media stories surfaced which attributed this incident to the use of "outdated" or "inaccurate" Secret Service printouts.

Immediately, the Secret Service, concerned not only about the potential administrative error, but the integrity of our access security, undertook an extensive, thorough review of our White House Access System, processes, databases, printouts -- anything that might shed some light on this issue.

As this story began to unfold we were advised that the FBI background files of 476 individuals were requested by the White House sometime in 1993 or 1994 and that many or most of these individuals were not active White House employees but former employees from previous administrations.

It is important at this time to emphasize an important fact. The request for FBI files by any WHITE HOUSE administration is made, solely for ACTIVE employees. This is an essential fact in understanding the role that Secret Service printouts are alleged to have played in this matter.

Upon receipt of two lists which total 476 individuals the Secret Service set out to determine if, in fact, we had provided ANY LIST which would have inaccurately reflected any or all of these 476 names as ACTIVE passholders in 1993 or 1994.

This issue, the accurate STATUS, ACTIVE or INACTIVE, of the 476 White House Passholders on Secret Service printouts stands as the singular most important issue when examining the data we will present today.

Before I present our data I would like to explain briefly the Secret Service Access system and the passholder issuance process.

The Secret Service maintains a computerized Access and Passholder System, referred to as EPASS, which relies upon a computer database. The system produces hard passes and generates computer printouts. The printouts are not designed and should not be used for other purposes. The printouts are produced for uses related to access issues. Should these printouts be used for other purposes, such as internal telephone directories or Easter Egg lists they may not and probably will not work for those purposes.

The passes which are issued are basically, building passes. The issuance of these passes allows the passholder access into the White House complex. The issuance of a pass means nothing more. It does not indicate, for example, that the passholder has a security clearance. The Secret Service plays NO ROLE in the issuance of Security Clearances to White House Employees.

White House Passes are issued at the direction of the Administration. The Administration determines who receives a pass and what type of pass is issued.

FBI backgrounds of Active Employees are requested by the White House not the Secret Service. These backgrounds are reviewed by the White House Office of Personnel Security for suitability concerns.

Following this review, should the Administration decide to issue a permanent pass, the Secret Service reviews the FBI background summary for issues concerning PHYSICAL SECURITY. Absent any physical security concern, if and when directed, the Secret Service issues a pass.

Information provided to the Secret Service by the Administration and/or the passholder is entered into a computer database for ACCESS PURPOSES, a computer photo is taken and a pass is issued.

A pass is also made INACTIVE solely at the request of the White House. It is the responsibility of each Administration to identify those passholders whom they wish to remove from the Active Passholder list. Regardless of how obvious it may seem to anyone in the Secret Service, we cannot, should not and do not Inactivate a pass without clear instruction from the Administration.

Now to the issue of lists or printouts.

The Secret Service has for many years provided printouts containing passholder information to the White House Office of Personnel Security.

Although at any given time some variation of a list may have been provided, there have been three types of list which have been routinely provided to both the current and past Administrations:

Those are -

- * A master list of both Active and Inactive passholders. This list contains approximately 24,000 names and goes back in time approximately 8 years. This list designates the status of individuals with the letters "A" or "I" for Active and Inactive.

- * An Active passholder list containing the names of all Active passholders.

- * A temporary passholder list which will reflect the expiration date of the temporary pass.

Again, these printouts should be used for the sole purpose of reconciling the passholder status with active employment status at the White House.

Since the request for FBI files are restricted to ACTIVE White House employees the fundamental question relating to the Secret Service role or lack thereof in this matter is as follows:

Did the Secret Service produce and/or provide any list or lists which would have inaccurately reflected these 476 individuals as ACTIVE passholders?

Absent the opportunity to thoroughly examine the alleged, flawed list, the Secret Service was initially left to rely on technical computer audits. Those audits, conducted by my colleague, Mr. Undercoffer clearly establish that our system did not create a list which would inaccurately reflect the Inactive former employees as active. The audit confirms that from 1984 to July of 1993, 379 of the 476 names on the subject list were made Inactive. We can account for 8 errors which we will explain. I would also note that these errors did not compromise the Access Security System. ■

Understanding that the recovery and examination of original printouts from the time periods in question would clearly serve as the best evidence to support or disprove the "erroneous list" allegation, the Secret Service continuously conducted exhaustive searches of our offices and files. These searches have resulted in the recovery of several original Passholder printouts from crucial time periods in 1993 as well as original printouts from 1991 and 1994.

These original documents clearly support our conclusion that 379 of the 476 names in question became Inactive, progressively from February of 1984 through July 8, 1993 and were accurately reflected as such during the time period in question. Additionally 89 of these names were accurately reflected as Active.

With you permission Mr. Chairman I will use the charts and exhibits to explain our findings.

1. the 94 names who were INACTIVATED from 1984 to 1989 and downloaded as INACTIVE in 1989.

2. Bar graph and WAVES INACTIVE list from August of 1991 which shows 182 of 476 as INACTIVE.

3. May 2, 1993 WAVES ACTIVE list - 368 of 476 are not on and should not be on this list.

4. July 3, 1993 WAVES ACTIVE list - 379 of the 476 not on and should not be on this list.

5. Inactive list dated 8/19/94, 429 are accurately reflected as Inactive

Finally and perhaps most significantly is this list, which was provided to the Secret Service by this Committee two days ago.

** This list was generated from our EPASS database on 3/31/93.

** The heading reads EPASS, possible Administration Holdover passholders by name. there are over 3,000 names on this list.

** Since some prominent Republicans appear on the list some may have concluded that this is a flawed Secret Service list. The proverbial fly in the ointment.

** On the contrary- this list perhaps more than the others best supports our testimony regarding the system, and the process and more significantly supports our conclusions concerning the list of 476.

** From the list 476 names whose FBI files were requested 408 of them do NOT appear on this EPASS list. That is because they were Inactive before this date or not yet activated.

** This comprehensive list was produced for the White House Office of Personnel Security for the express purpose of assisting them in reconciling those names of Active Passholders with their intended holdovers. They were to review this list and inform us of those they wished to make INACTIVE. In fact, over a period of months they did just that. Over the next several months upon notification, the Secret Service did remove many of these people from the ACTIVE list.

This EPASS list best exemplifies how the system works and supports our conclusions regarding the accuracy of the status of the 476 names.

Additionally as to references made to the appearance of the name George P. Bush and President George Bush. George P. Bush, the President's grandson was issued a pass. The President Bush entry was used as a test run by the Secret Service.

This EPASS list together with the recovered lists from years past and the technical audit all support the same conclusion that those persons who were INACTIVE, 379 cumulatively through July 1993, did not appear on any Secret Service list as Active Passholders. 94 of them NEVER appeared in our EPASS databases as ACTIVE

Does the Secret Service generate a printout which contains, amongst other names, the 476 names in question. Yes.

Contained amongst the master list of 24,000 Active and Inactive Passholders are the names of the 476 people. On that Master List is a Topic Field entitled "Status". Under the Status Field and beside each name is an "A" for Active and "I" for Inactive.

Could names of the 476 people whose FBI files were requested have been copied from a Secret Service List. Yes. The names could have been copied from a Secret Service List.

We believe, however, that the facts we have presented today, clearly support a conclusion that the Secret Service did not provide any list which contained gross inaccuracies that would that would have caused the inappropriate request for FBI background files of former White House employees.

Mr. Chairman, members of this Committee, I apologize for the length of this briefing, however, it is difficult to cover this subject matter in a brief opening statement.

My colleagues and I will be glad respond to your questions.

~~Bryan J. ...~~ -

~~Lisa ...~~

ANALYSIS of EPASS and WAVES**re: List of 476 Names**

07/15/96

The following is an analysis of the EPASS and WAVES systems regarding the production of Active and Inactive printouts for a list of 476 names for whom the White House Office of Personnel Security is said to have requested FBI background investigative files.

On June 14, 1996, I received two lists of names to analyze regarding the accuracy of the corresponding records in the EPASS and WAVES systems. The first list begins with "ABDOO", ends with "GOLDBERG", and contains 339 names. The second list begins with "AARHUS", ends with "GLEN", and contains 138 names. One name, "Gary Fendler", appeared on both lists for a total of 476 individual names hereafter, collectively referred to as the list of 476.

SCOPE OF ANALYSIS

This analysis covers the period between July 1, 1984 and July 8, 1993 as it pertains to this list of 476 individuals. An audit was conducted to ascertain if the 476 aforementioned names could have been listed as active passholders to the White House Complex during the year 1993. 1984 was chosen as a starting point because that is the earliest WAVES inactive date for any of those included on the list of 476.

PASS ACTIVATION and DEACTIVATION PROCESS

The process by which a White House Pass is issued is initiated by the White House Office of Personnel Security. The White House Office of Personnel Security advises the Secret Service of all new hires and separations and requests that building passes be issued to new hires. Once a pass request has been approved, the individual reports to the White House Division, Room 23, Old Executive Office Building for processing. A computer record containing that individual's biographical information is created in the EPASS system and a building pass is issued. The new individual's computer record is electronically transmitted to the ACCESS control system, allowing ingress and egress to the White House. The new individual's computer record is also electronically transmitted to the WAVES system and stored in a database residing on the WAVES computer. The passholder database in WAVES is for Secret Service administrative purposes and is used as an aid when processing appointments into the White House.

The deactivation of a White House pass is initiated by either the passholder turning in their pass or the White House Office of Personnel Security informing the Secret Service that an individual has left the employ of the White House and no longer is to be granted access to the White House Complex.

In either instance, the individual's record is called up in the EPASS system and deactivated. Once this happens, this deactivation is electronically transmitted to the ACCESS control system and the person is no longer permitted free access to the White House. This information is also electronically transmitted to the WAVES system where the individual's status is changed from active to inactive in the WAVES passholder database.

DIFFERENCES IN WAVES AND EPASS DATES

In comparing the "STATUS DATE" as listed by the WAVES system to the "STATUS DATE" listed by the EPASS system for the same individual, there are times when these dates differ.

The differences in "STATUS DATES" in some records between the EPASS and WAVES systems occurred for several reasons. These reasons are enumerated below:

1. **Action by System.** This is the main reason the data field "STATUS DATE" in the WAVES System is changed. This change occurs any time an individual's record is modified in either the EPASS or WAVES System.
2. **System Synchronization.** On August 22, 23, and 24, 1994 Dr. John Toll and Mr. Stewart Rabinowitz performed maintenance (program updates and database updates) on both the EPASS and WAVES systems. During this maintenance the databases in the two systems were synchronized to insure that all records in both systems were current. Consequently, some records in WAVES show these dates as "STATUS DATES".
3. **Implementation of EPASS.** In 1989 the EPASS system was brought on line during the administration change in January of that year. The passholder information was electronically transferred to the EPASS system from the Secret Service mainframe computer. Many of the WAVES "STATUS DATES" reflect the date of electronic transfer.
4. **End of month.** A few days before the end of each month, the EPASS system begins to close its current log files and open new files, and store the intermediate information in temporary files. To facilitate the processing of time sensitive data, the WAVES updates are held in a data queue by the EPASS system. Once a new month begins, updates are transmitted by the EPASS system to the WAVES system and the WAVES "STATUS DATE" reflects the date of this change. When a pass is either activated or de-activated near the end of a month in the EPASS system, it takes approximately four days for the change to be reflected in the WAVES system.
5. **Component overload.** Beginning in early 1993 the White House Access Control System (EPASS, WAVES, and ACCESS) experienced up to a 100% increase in the number of people being processed per month. Consequently, a hub (a small computer) connecting the EPASS system to the WAVES system began to experience a communications failure.

When changes in passholder status were made in EPASS, the EPASS System would transmit these changes and updates to the WAVES system via this hub. If the system was experiencing a communications failure these changes would be stopped at the Hub until communications

were restored. Once communications were restored update data was then transferred to the WAVES system. There were occasions during these communications failures when there was too much information for the data buffer in the hub to store and some of this information would overflow the data buffer and be lost before communications were restored.

The White House Office of Personnel Security is routinely provided with WAVES printouts. Through their review of these printouts we learned that some individuals were listed as active in the WAVES system when they believed them to be inactive. A subsequent check of the EPASS system showed these individuals to be inactive in the EPASS system and active in the WAVES system and their status was corrected.

A systems analysis revealed the problem and it was alleviated in early 1994 by fixing a software bug and making the data buffer more robust in the hub which connects the EPASS system to the WAVES system.

Of the aforementioned explanations, only #5 would have resulted in an individual being listed as an active passholder in the WAVES system when, in fact, they were not. When this did occur, even though the person was listed as active in WAVES, this did not authorize admittance to the White House Complex because the EPASS system had accurately recorded the individual's status as inactive and transmitted this change to the ACCESS Control System at each of the entry/exit posts.

COMPARISON OF EPASS AND WAVES RECORDS TO THE LIST of 476

The basis of my exam was to compare WAVES generated printouts to EPASS records as they pertain to the list of 476. There were three types of WAVES printouts: those listing inactive passholders; those listing active passholders; and those listing passholders whose status changed from active to inactive in a given month.

The following historic WAVES records were available for comparison and are included with this report as attachments 1 through 8:

Attachment #1 - WAVES printout showing all inactive passholders as of 08/07/91.

The list of 476 names was compared against this WAVES printout of inactive passholders to determine if any of those on the list of 476 also appeared on this WAVES printout. There were 182 individuals on the list of 476 who also appear on the Waves printout of INACTIVE passholders. It is important to note that Leslee Blair Cullen has an inactive date of 08/07/91 in EPASS is also included on this printout.

Conversely, none of these 182 names would have appeared on a WAVES printout(s) of active passholders after 08/07/91.

Attachment #2 - WAVES printout for ACTIVE to INACTIVE during January, 1993.

According to EPASS records, there were 72 individuals whose status changed from active to inactive during the month of January, 1993. This WAVES printout only reflects 20 of these individuals.

This report was generated on 1/28/93, three days before the end of the month. Additional WAVES records (attachment #8) show that 10 more individuals changed from active to inactive during these three days. Of the remaining 42 individuals the data of 34 of them was not transmitted to WAVES until the beginning of February, due to the end of month delay previously discussed in this report. Finally, information on 8 was lost between EPASS and WAVES due to a communications failure, also discussed earlier in this report.

Attachment #3 - WAVES printout for ACTIVE to INACTIVE during February, 1993.

According to EPASS records there were 14 individuals whose status changed from active to inactive during the month of February, 1993. This WAVES printout reflects all of these 14 individuals plus the additional 34 individuals who became inactive in January, 1993.

Attachment #4 - WAVES printout for ACTIVE passholders employed by White House Operations Personnel as of May 2, 1993

The list of 476 was compared for **exclusion** from this printout. If any of the 476 individuals are excluded from this printout this means they are listed as inactive in the WAVES system and would have been so designated on any Active/Inactive printout generated by the WAVES system.

A comparison of the List of 476 names to this WAVES printout yields the following results:

- 94 - of the 476 are correctly listed as ACTIVE
- 8 - errors , who were incorrectly listed as active (see below)
- 3 - Residence employees (Blake, Bowens, and Brooks) who are active passholders but not included on this WAVES printout
- 3 - individuals who have yet to be hired by WHOP, (Belfer, Carpenter, and Carr).
- 368 - of the 476 would have been listed as **INACTIVE** on any report generated by WAVES at this time.

476 Total

The names of those eight incorrectly listed as active follow:

Blumenthal, Gary	Brown, Ronald
Butterfield, William	Bizic, Danica
Bateman, Paul	Campbell, Victoria
Carpendale, Andrew	Cutshall, Jennifer

Attachment #5 - WAVES printout for ACTIVE to INACTIVE during May, 1993.

According to EPASS records there were 6 individuals whose status changed from active to inactive during the month of May, 1993. This WAVES printout reflects five of those six. The other individual was carried over to the month of June, 1993.

Attachment #6 - WAVES printout for ACTIVE to INACTIVE during June, 1993.

According to EPASS records there were 5 individuals whose status changed from active to inactive in June, 1993. This WAVES printout reflects these 5 individuals plus the one individual who became inactive in May, 1993.

Attachment #7 - WAVES printout for ACTIVE passholders employed by White House Operations Personnel as of July, 8 1993.

The List of 476 was compared for exclusion from this printout. If any of the 476 individuals are excluded from this printout this means they are listed as inactive in the WAVES system and would be so designated on any Active/Inactive printout generated by the WAVES system.

A comparison of the List of 476 names to this WAVES printout yields the following results:

- 85 - of the 476 are correctly listed as ACTIVE
 - 8 - errors (as previously listed)
 - 3 - Residence employees, (Blake, Bowens, and Brooks), who are active passholders but not included on this WAVES printout
 - 1 - individual yet to be hired by WHOP (Belfer)
 - 379 - of the 476 would have been listed as INACTIVE on any report generated by WAVES at this time.
- | | |
|-----|-------|
| 476 | Total |
|-----|-------|

Attachment #8 - WAVES printout showing all inactive passholders as of 08/19/94.

A comparison of those individuals included on the list of 476 names to this WAVES printout dated 8/19/94 confirms that as of July 8, 1993, 379 of these individuals had an inactive status in the WAVES system. Furthermore, of the 476 individuals on the list, 429 are listed as inactive on this WAVES printout as 8/19/94.

OTHER ISSUES

Although the time period covered by this analysis was limited to July 1, 1984 through July 8, 1993, there were two additional errors pertaining to the list of 476 individuals, specifically, James Baker and Francine Burns. Francine Burns changed from active to inactive in EPASS on 11/01/93 and this change was not reflected in WAVES until 3/16/94. James Baker changed from active to inactive on 08/26/93 in EPASS and this change did not occur in WAVES until 7/7/94. These errors occurred due to a communications failure as previously stated.

One other individual, Lunalisa Abiera, left employment at the White House on 10/25/93 and returned to employment at the White House on 9/8/94. The EPASS and WAVES records accurately reflect this.

CONCLUSIONS

As it pertains to these 476 individuals there were eight errors on the active reports generated by the WAVES system between 1984 and July 8, 1993. These eight were made inactive in EPASS in January, 1993, however the corresponding records in the WAVES system were not updated due to a communications failure between a computer hub and the WAVES system.

There were no widespread flaws or system breakdowns which resulted in the WAVES system producing grossly inaccurate or outdated access lists.

Furthermore, any Active/Inactive report generated by WAVES on or after the following dates would have shown the following numbers of individuals who were on the list of 476 as inactive:

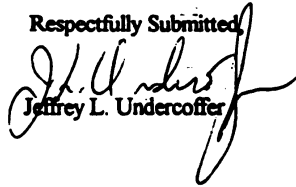
August 7, 1991 - 182 Inactive

January 20, 1993 - 286 Inactive

May 2, 1993 - 368 Inactive

July 8, 1993 - 379 Inactive

Respectfully Submitted,


Jeffrey L. Undercoffer

- Attachments:
- A - 182 inactive as of 08/07/91.
 - B - 368 inactive as of 05/02/93.
 - C - 379 inactive as of 07/08/93.
 - D - 286 inactive as of 01/20/93.
 - E - List of the 476 individuals ordered by WAVES inactive date.
 - Bar Graph - "INACTIVE in WAVES From the List of 476".
 - Bar Graph - "Pass Deactivations From the List of 476".
 - #1 - WAVES printout showing all inactive passholders as of 08/07/91.
 - #2 - WAVES printout for ACTIVE to INACTIVE during January, 1993.
 - #3 - WAVES printout for ACTIVE to INACTIVE during February, 1993.
 - #4 - WAVES printout for ACTIVE passholders employed by White House Operations Personnel as of May 2, 1993
 - #5 - WAVES printout for ACTIVE to INACTIVE during May, 1993.
 - #6 - WAVES printout for ACTIVE to INACTIVE during June, 1993.
 - #7 - WAVES printout for ACTIVE passholders employed by White House Operations Personnel as of July, 8 1993
 - #8 - WAVES printout showing all inactive passholders as of 08/19/94.

LAST NAME	FIRST NAME	MIDDLE NAME
ABDOO	HELEN	THERESA
ADDINGTON	DAVID	SPEARS
AHEARN	FREDERICK	LEONARD
ALLISON	MELISSA CO	
ALLISON	JAMES	NEWBY
ALVAREZ	RICHARD	GUS
ANDERSON	MARCY	JEANNE
ANDERSON	CURTIS	WILEY
ANDERSON	ANN	ELIZABETH
ANDERSON	SUSAN	ELIZABETH
ARCHAMBAULT	MICHELE	LORRAINE
AREY	LINSA	LUGENIA
ARMFIELD	ROBERT	KELLY
ARRONSSON	PATRICIA	SUE
ARSHT	LESLYE	ALENE
ASHLEY	MARC	ANTHONY
ASTRUE	MICHAEL	JAMES
ATKINSON	DENNIS	MAURICE
AUEL	LISA	BENKERT
BACARISSE	CHARLES	EDWARD
BACH	CRISTENA	LYNN
BALFOUR	DEBORAH	
BALILES	ROY	KENNETH
BARLETTA	KATHRYN	ANNE
BARREAUX	THEODORE	CHARLES
BATES	DAVID	QUENTIN
BAUMSTEIN	AMY	MEREDITH
BECKER	JEROME	DAVID
BEERS	PATRICK	ADAM
BELL	LOUISE	HELEN
BELL	MARIAM	MCKOWEN
BEREZNY	CAROLINE	CLARE
BESERRA	RUDY	MAX
BLACK	JUDY	ANN
BLACK	DAVID	LEE
BLAKEY	MARION	CLIFTON
BLANKLEY	ANTHONY	DAVID
BLESSEY	STEPHANIE	ELIZABETH
BLODGETT	SUZETTE	A
BOARD	ELIZABETH	IDEN
BORCHARD	SUSAN	AILEEN
BRACKEN	ANN	ROSEMARY
BRADLEY	ELLEN	LORRAINE
BRADY	KATHERINE	CHRYSTIE
BRADY	JAMES	SCOTT
BREAUX	HARLEEN	MARIE
BREEDEN	RICHARD	CARROLL
BROOKS	CRYSTAL	LYNN
BROTT	MICHELLE	MARIE

LAST NAME	FIRST NAME	MIDDLE NAME	WAVES DATE
AARHUS	CAROL	BLYM	12/31/92
ABDOO	HELEN	THERESA	2/8/89
ADAIR	DOUGLAS	CONRAD	9/25/91
ADDINGTON	DAVID	SPEARS	1/20/89
AHEARN	FREDERICK	LEONARD	2/8/89
ALDERMAN	CLIFFORD	THOMAS	1/28/93
ALEXANDER	CARA	LESLIE	10/5/92
ALLISON	JAMES	NEWBY	8/21/90
ALLISON	MELISSA CO		8/20/90
ALSOBROOK	DAVID	ERNEST	2/2/93
ALVAREZ	RICHARD	GUS	5/5/89
AMEND	DEBORAH	ANN	10/7/91
AMICK	JOAN	MARIE	3/12/93
ANDERSON	ANN	ELIZABETH	7/27/89
ANDERSON	CURTIS	WILEY	2/8/89
ANDERSON	MARCY	JEANNE	7/31/90
ANDERSON	REBECCA	LEE	1/26/93
ANDERSON	STANTON	DEAN	2/1/93
ANDERSON	SUSAN	ELIZABETH	9/27/90
ANDERSON	DEBRA	RAE	5/7/92
ANDRES	GARY	JOHN	12/31/92
ARCHAMBAULT	MICHELE	LORRAINE	5/22/89
ARDLEIGH	KIRSTEN	CLARK	2/1/93
ARENDS	JACQUELINE	GRACE	1/28/93
AREY	LINSA	LUGENIA	1/26/90
ARMENDARIZ	REBECCA	ANNE	2/24/92
ARMFIELD	ROBERT	KELLY	6/1/89
ARRONSSON	PATRICIA	SUE	5/17/90
ARSHT	LESLYE	ALENE	2/8/89
ASHLEY	MARC	ANTHONY	1/2/91
ASLANI-FAR	M. ADEL		2/2/93
ASTRUE	MICHAEL	JAMES	7/10/89
ATKINSON	DENNIS	MAURICE	5/24/91
ATKINSON	CAROLYN	FLORENCE	2/4/93
AUEL	LISA	BENKERT	1/26/90
AUGUSTINE	BARBARA	MCCAULEY	2/9/93
AUPPERLE	TAMMY BLOO		2/18/92
AUTHER	SUSAN	MARIE	9/25/91
AVRASHOV	LEONID		12/7/92
BACARISSE	CHARLES	EDWARD	1/2/91
BACH	CRISTENA	LYNN	2/8/89
BAILEY	MARY STEWART	SMALLPAGE	11/16/92
BAKER	BARBARA	WASH	4/7/93
BALESTRIERI	JEAN	ANN	3/12/93
BALFOUR	DEBORAH		2/8/89
BALILES	ROY	KENNETH	6/28/90
BARLETTA	KATHRYN	ANNE	2/8/89
BARNES	KAREN	LEE	1/29/93
BARNETT	JANE	ELIZABETH	1/25/93

Attachment B - 368 Inactive as of 05/02/93

7/16/96

LAST NAME	FIRST NAME	MIDDLE NAME	WAVES DATE
BARRE	BART	CHRISTOPHER	8/31/92
BARREAUX	THEODORE	CHARLES	9/18/90
BARRON	DONNA	LOUISE	2/2/93
BARTH	SHANETTE	MICHAELE	2/2/93
BASSUK	GREGORY	DAVID	8/17/92
BATES	CHARLES	EDWARD	5/5/92
BATES	LORRI	JEANINE	12/19/91
BATES	DAVID	QUENTIN	12/21/92
BATT	ROCHELLE	HEIDI	12/30/91
BATTAGLIA	LISA	MARIE	3/23/92
BAUGHMAN	JULIA	HARMON	4/7/93
BAUMEYER	MATTHEW	SCOTT	1/6/93
BAUMSTEIN	AMY	MEREDITH	4/22/91
BAUR	KATHLEEN	ELIZABETH	2/4/93
BAYNARD	BRIAN	CALLAWAY	8/13/91
BEACH	CHESTER	PAUL	2/4/93
BEATTY	JAYSON	FRANK	8/25/92
BECKER	JEAN	LORETTA	2/4/93
BECKER	JEROME	DAVID	5/5/89
BEDARD	CATHERINE	THERESE	2/1/93
BEERS	PATRICK	ADAM	8/25/89
BELBY	KATERI	RAY	12/30/91
BELL	LOUISE	HELEN	2/2/89
BELL	MARIAM	MCKOWEN	2/8/89
BENEDI	ANTONIO		2/2/93
BEREZNY	CAROLINE	CLARE	7/18/91
BESERRA	RUDY	MAX	2/8/89
BEVACQUA	ANITA	CAROL	8/7/92
BINION	ELIZABETH	ANN	12/31/92
BIZIC	MARK	GUSTAV	3/12/93
BLACK	DAVID	LEE	7/30/90
BLACK	JUDY	ANN	2/8/89
BLACKBURN	BARBARA	ANN	12/31/92
BLAKEY	MARION	CLIFTON	2/8/89
BLANKLEY	ANTHONY	DAVID	1/20/89
BLESSEY	STEPHANIE	ELIZABETH	8/6/90
BLODGETT	SUZETTE	A	2/8/89
BOARD	ELIZABETH	IDEN	2/8/89
BOLTEN	JOSHUA	BREWSTER	2/9/93
BONINO	CAROLINA	ORGEIRA	2/9/93
BORCHARD	SUSAN	AILEEN	2/8/89
BOWEN	JAMES		5/14/92
BRACKEN	ANN	ROSEMARY	6/7/91
BRACKNEY	MARGARET	LOUISE	2/2/93
BRADLEY	ELLEN	LORRAINE	2/8/89
BRADY	KATHERINE	CHRYSTIE	10/15/90
BRADY	JAMES	SCOTT	1/26/90
BREAUX	HARLEEN	MARIE	7/29/91
BREEDEN	RICHARD	CARROLL	11/21/89

Attachment C - 379 Inactive as of 07/08/93

7/16/96

LAST NAME	FIRST NAME	MIDDLE NAME	WAVES DATE
AARHUS	CAROL	BLYM	12/31/92
ABDOO	HELEN	THERESA	2/8/89
ADAIR	DOUGLAS	CONRAD	9/25/91
ADDINGTON	DAVID	SPEARS	1/20/89
AHEARN	FREDERICK	LEONARD	2/8/89
ALDERMAN	CLIFFORD	THOMAS	1/28/93
ALEXANDER	CARA	LESLIE	10/5/92
ALLISON	JAMES	NEWBY	8/21/90
ALLISON	MELISSA CO		8/20/90
ALSOBROOK	DAVID	ERNEST	2/2/93
ALVAREZ	RICHARD	GUS	5/5/89
AMEND	DEBORAH	ANN	10/7/91
AMICK	JOAN	MARIE	3/12/93
ANDERSON	REBECCA	LEE	1/26/93
ANDERSON	DEBRA	RAE	5/7/92
ANDERSON	STANTON	DEAN	2/1/93
ANDERSON	CURTIS	WILEY	2/8/89
ANDERSON	MARCY	JEANNE	7/31/90
ANDERSON	ANN	ELIZABETH	7/27/89
ANDERSON	SUSAN	ELIZABETH	9/27/90
ANDRES	GARY	JOHN	12/31/92
ARCHAMBAULT	MICHELE	LORRAINE	5/22/89
ARDLEIGH	KIRSTEN	CLARK	2/1/93
AREND	JACQUELINE	GRACE	1/28/93
AREY	LINSA	LUGENIA	1/26/90
ARMENDARIZ	REBECCA	ANNE	2/24/92
ARMFIELD	ROBERT	KELLY	6/1/89
ARRONSSON	PATRICIA	SUE	5/17/90
ARSHT	LESLEY	ALENE	2/8/89
ASHLEY	MARC	ANTHONY	1/2/91
ASLANI-FAR	M. ADEL		2/2/93
ASTRUE	MICHAEL	JAMES	7/10/89
ATKINSON	DENNIS	MAURICE	5/24/91
ATKINSON	CAROLYN	FLORENCE	2/4/93
AUEL	LISA	BENKERT	1/26/90
AUGUSTINE	BARBARA	MCCAULEY	2/9/93
AUPPERLE	TAMMY BLOO		2/18/92
AUTHER	SUSAN	MARIE	9/25/91
AVRASHOV	LEONID		12/7/92
BACARISSE	CHARLES	EDWARD	1/2/91
BACH	CRISTENA	LYNN	2/8/89
BAILEY	MARY STEWART	SMALLPAGE	11/16/92
BAKER	BARBARA	WASH	4/7/93
BALESTRIERI	JEAN	ANN	3/12/93
BALFOUR	DEBORAH		2/8/89
BALILES	ROY	KENNETH	6/28/90
BARLETTA	KATHRYN	ANNE	2/8/89
BARNES	KAREN	LEE	1/29/93
BARNETT	JANE	ELIZABETH	1/25/93

Attachment C - 379 Inactive as of 07/08/93

7/16/96

LAST NAME	FIRST NAME	MIDDLE NAME	WAVES DATE
BARRE	BART	CHRISTOPHER	8/31/92
BARREAUX	THEODORE	CHARLES	9/18/90
BARRON	DONNA	LOUISE	2/2/93
BARTH	SHANETTE	MICHAELE	2/2/93
BASSUK	GREGORY	DAVID	8/17/92
BATES	CHARLES	EDWARD	5/5/92
BATES	LORRI	JEANINE	12/19/91
BATES	DAVID	QUENTIN	12/21/92
BATT	ROCHELLE	HEIDI	12/30/91
BATTAGLIA	LISA	MARIE	3/23/92
BAUGHMAN	JULIA	HARMON	4/7/93
BAUMEYER	MATTHEW	SCOTT	1/6/93
BAUMSTEIN	AMY	MEREDITH	4/22/91
BAUR	KATHLEEN	ELIZABETH	2/4/93
BAYNARD	BRIAN	CALLAWAY	8/13/91
BEACH	CHESTER	PAUL	2/4/93
BEATTY	JAYSON	FRANK	8/25/92
BECHERER	THOMAS	LUTHER	6/19/93
BECKER	JEROME	DAVID	5/5/89
BECKER	JEAN	LORETTA	2/4/93
BEDARD	CATHERINE	THERESE	2/1/93
BEERS	PATRICK	ADAM	8/25/89
BELBY	KATERI	RAY	12/30/91
BELL	LOUISE	HELEN	2/2/89
BELL	MARIAM	MCKOWEN	2/8/89
BENEDI	ANTONIO		2/2/93
BEREZNY	CAROLINE	CLARE	7/18/91
BESERRA	RUDY	MAX	2/8/89
BEVACQUA	ANITA	CAROL	8/7/92
BINION	ELIZABETH	ANN	12/31/92
BIZIC	MARK	GUSTAV	3/12/93
BLACK	JUDY	ANN	2/8/89
BLACK	DAVID	LEE	7/30/90
BLACKBURN	BARBARA	ANN	12/31/92
BLAKEY	MARION	CLIFTON	2/8/89
BLANKLEY	ANTHONY	DAVID	1/20/89
BLESSEY	STEPHANIE	ELIZABETH	8/6/90
BLODGETT	SUZETTE	A	2/8/89
BOARD	ELIZABETH	IDEN	2/8/89
BOLTEN	JOSHUA	BREWSTER	2/9/93
BONINO	CAROLINA	ORGEIRA	2/9/93
BORCHARD	SUSAN	AILEEN	2/8/89
BOWEN	JAMES		5/14/92
BRACKEN	ANN	ROSEMARY	6/7/91
BRACKNEY	MARGARET	LOUISE	2/2/93
BRADLEY	ELLEN	LORRAINE	2/8/89
BRADY	KATHERINE	CHRYSTIE	10/15/90
BRADY	JAMES	SCOTT	1/26/90
BRASSEUX	BARNABY	LAIR	5/24/93

Attachment D - 286 Inactive as of 01/20/93

7/16/96

LAST NAME	FIRST NAME	MIDDLE NAME	WAVES DATE
FITZPATRICK	SHARON	ANN	4/16/92
FLEMING	SHELI	ESTELLE	5/5/92
FLETCHER	JEANNE	DIANE	7/16/90
FLETCHER	MARILYN	ANNE	3/14/89
FLETCHER	LYNNE	MARGARET	5/2/91
FLICK	HEATHER	GWEN	6/15/89
FLIPPEN	JOHN	ALLISON	8/16/90
FLTECHER	LEE		10/10/89
FOGEL	DAVID	LOUIS	8/17/92
FOLEY	JOHN	PATRICK	8/13/91
FOLEY	MATTHEW	TODD	3/30/89
FONG	JESSIE	TSUI-SHIH	8/5/91
FOONBERG	STEVEN	MARK	12/5/89
FORT	MICHELLE	CATHERINE	4/11/90
FOSTER	PAUL	THOMAS	7/27/89
FREEMAN	JUDITH	BJORKMAN	1/15/92
FRITZ	MARY ELIZA		8/6/90
FULLER	KAREN	HART	5/5/89
FULTON	YSELLA	AYN	1/20/89
GABLE	ELIZABETH	BRINTON	7/23/91
GALEN	CHRISTOPHER	WILLIAM	5/19/89
GALLETTA	JOHN	DAVID	1/24/90
GANNON	KELLEY	LYNN	8/7/92
GARDNER	JOHN	STEPHEN	8/26/92
GARIKES	MARGARET	DANAHER	5/30/90
GARLINGTON	AUDREY	JOYCE	1/26/90
GARRETT	TRACY	DAVIS	2/24/92
GAY	CAROLYN	SUE	5/23/89
GEAR	KRISTEN	MOREAU	3/10/92
GEISSINGER	SPENCER	EVAN	9/11/91
GERAGHTY	LEAH	MERCER	9/25/91
GERRARD	CONSTANCE		5/5/89
GIBSON	STEVEN	WILLIAM	10/13/89
GITLIN	DAVID	LAWRENCE	8/7/92
GLASSMAN	JON	DAVIS	6/6/91
GLEN	ALIXE	REED	1/11/91
GOBER	ELLEN	JANYCE	12/18/92
GOFF	KAREN	LYNN	2/24/92
GOLAY	GAIL	THERESA	5/5/89
GOLDBERG	JULIE	ANNE	1/15/93
GOLDBERG	CATHERINE	ANNE	2/8/89

Attachment D - 286 Inactive as of 01/20/93

7/16/96

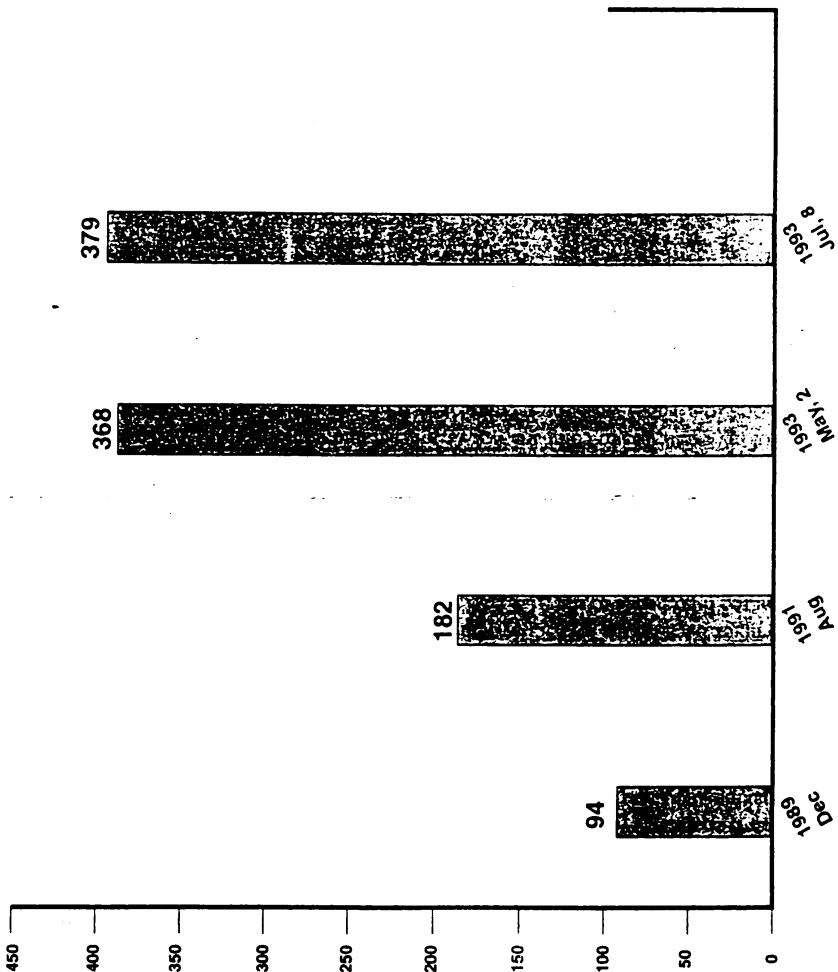
LAST NAME	FIRST NAME	MIDDLE NAME	WAVES DATE
FITZPATRICK	SHARON	ANN	4/16/92
FLEMING	SHELI	ESTELLE	5/5/92
FLETCHER	JEANNE	DIANE	7/16/90
FLETCHER	MARILYN	ANNE	3/14/89
FLETCHER	LYNNE	MARGARET	5/2/91
FLICK	HEATHER	GWEN	6/15/89
FLIPPEN	JOHN	ALLISON	8/16/90
FLTECHER	LEE		10/10/89
FOGEL	DAVID	LOUIS	8/17/92
FOLEY	JOHN	PATRICK	8/13/91
FOLEY	MATTHEW	TODD	3/30/89
FONG	JESSIE	TSUI-SHIH	8/5/91
FOONBERG	STEVEN	MARK	12/5/89
FORT	MICHELLE	CATHERINE	4/11/90
FOSTER	PAUL	THOMAS	7/27/89
FREEMAN	JUDITH	BJORKMAN	1/15/92
FRITZ	MARY ELIZA		8/6/90
FULLER	KAREN	HART	5/5/89
FULTON	YSELLA	AYN	1/20/89
GABLE	ELIZABETH	BRINTON	7/23/91
GALEN	CHRISTOPHER	WILLIAM	5/19/89
GALLETTA	JOHN	DAVID	1/24/90
GANNON	KELLEY	LYNN	8/7/92
GARDNER	JOHN	STEPHEN	8/26/92
GARIKES	MARGARET	DANAHER	5/30/90
GARLINGTON	AUDREY	JOYCE	1/26/90
GARRETT	TRACY	DAVIS	2/24/92
GAY	CAROLYN	SUE	5/23/89
GEAR	KRISTEN	MOREAU	3/10/92
GEISSINGER	SPENCER	EVAN	9/11/91
GERAGHTY	LEAH	MERCER	9/25/91
GERRARD	CONSTANCE		5/5/89
GIBSON	STEVAN	WILLIAM	10/13/89
GITLIN	DAVID	LAWRENCE	8/7/92
GLASSMAN	JON	DAVIS	6/6/91
GLEN	ALIXE	REED	1/11/91
GOBER	ELLEN	JANYCE	12/18/92
GOFF	KAREN	LYNN	2/24/92
GOLAY	GAIL	THERESA	5/5/89
GOLDBERG	JULIE	ANNE	1/15/93
GOLDBERG	CATHERINE	ANNE	2/8/89

Attachment E - List of 476 ordered by WAVES Status Date

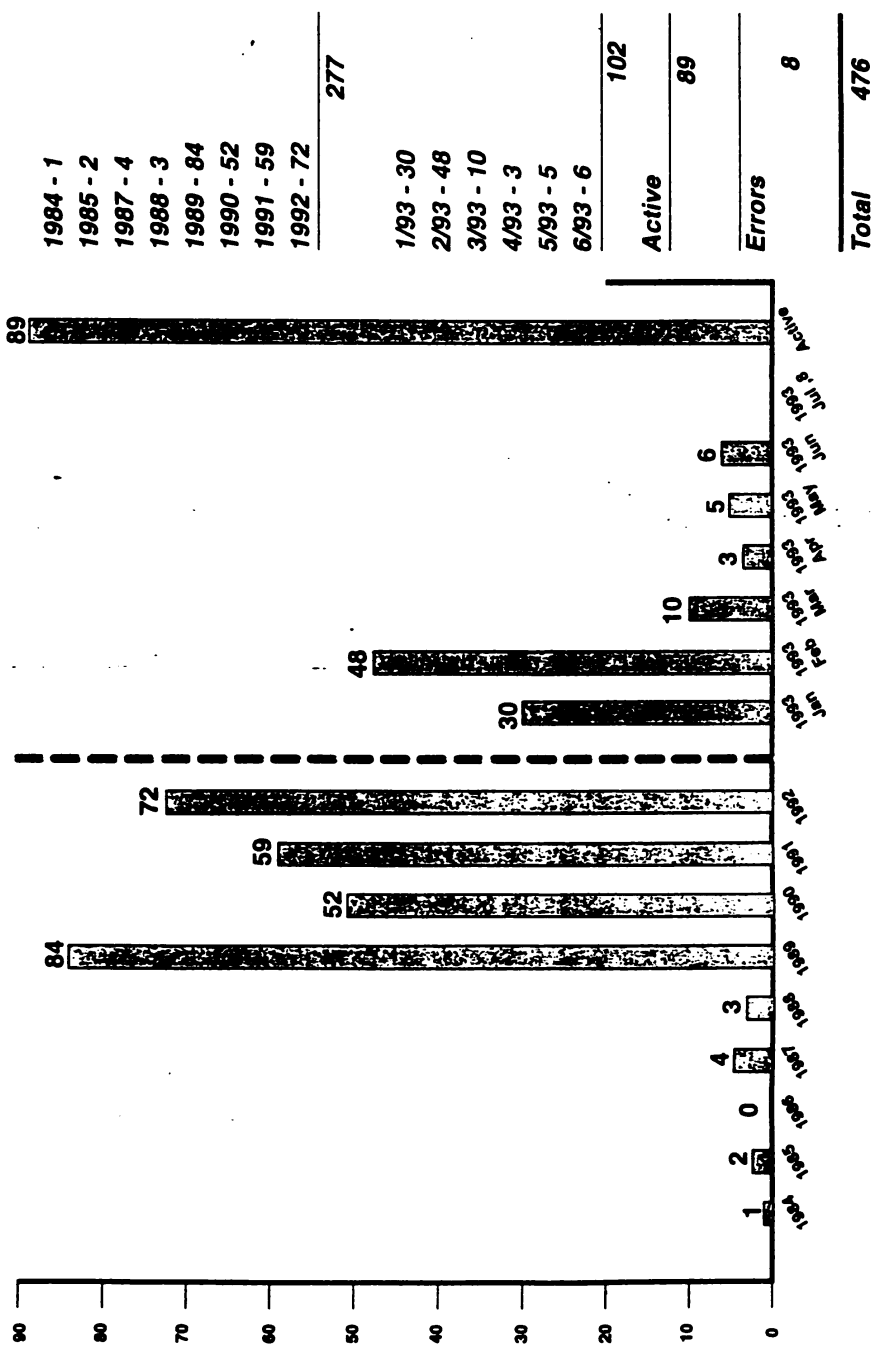
7/16/96

LAST NAME	FIRST NAME	MIDDLE NAME	WAVES DATE	STATUS
BECHERER	THOMAS	LUTHER	6/19/93	I
DAM	DAVID	T	6/11/93	I
CHAPMAN	ROBERT	THOMAS	6/9/93	I
CRAIG	JUDY A.D.		6/3/93	I
FLAGLER	NICHOLAS	RUSTER	5/27/93	I
CROW	SHELLY	LYNN	5/25/93	I
DREYLINGER	JOHN	PAUL	5/24/93	I
BRASSEUX	BARNABY	LAIR	5/24/93	I
DALE	BILLY	RAY	5/24/93	I
BULLOCK	KATJA		4/7/93	I
BAKER	BARBARA	WASH	4/7/93	I
BAUGHMAN	JULIA	HARMON	4/7/93	I
BALESTRIERI	JEAN	ANN	3/12/93	I
AMICK	JOAN	MARIE	3/12/93	I
BIZIC	MARK	GUSTAV	3/12/93	I
DEHART	LINDA	SUSAN	3/12/93	I
BRIDGMAN	MARJORIE	ANNE	3/12/93	I
DAVIDSON	DOUGLAS	ALEXANDER	3/11/93	I
CHILDS	MARY	ELIZABETH	3/11/93	I
BULL	CATHERINE	ELEANOR	3/11/93	I
DONALDSON	HELEN	COLLE	3/4/93	I
BRERN	STACEY	LYNN	3/1/93	I
AUGUSTINE	BARBARA	MCCAULEY	2/9/93	I
BONINO	CAROLINA	ORGEIRA	2/9/93	I
CONNELL	KAREN	ANN	2/9/93	I
GIORNO	KAREN	ROSALIE	2/9/93	I
BOLTEN	JOSHUA	BREWSTER	2/9/93	I
COOKE	JULIE		2/9/93	I
FINGER	AILEEN	BETH	2/4/93	I
FITCH	GREGORY	HARLAND	2/4/93	I
BAUR	KATHLEEN	ELIZABETH	2/4/93	I
FINCKEN	HEIDI	ANN	2/4/93	I
DAVIS	PORTER	MANVEL	2/4/93	I
BEACH	CHESTER	PAUL	2/4/93	I
GEORGE	JOEY RUSSE		2/4/93	I
GERSHOWITZ	GARY	JAY	2/4/93	I
CRYOR	ALLISON	WHEATLAND	2/4/93	I
FERGUSON	ANDREW		2/4/93	I
ATKINSON	CAROLYN	FLORENCE	2/4/93	I
DENNISTON	SUSAN	RUSSELL	2/4/93	I
DAILEY	BRIAN	DANIEL	2/4/93	I
FRANTZ	MARK	ALEXANDER	2/4/93	I
GARVENS	TYLER		2/4/93	I
COLLEY	CHRISTOPHER	DAVID	2/4/93	I
BRENA	BETTINE	CHRISTINE	2/4/93	I
COLDWELL	LISA	TOWER	2/4/93	I
BECKER	JEAN	LORETTA	2/4/93	I
FREE	CHARLES	MARTIN	2/4/93	I
BRACKNEY	MARGARET	LOUISE	2/2/93	I

INACTIVES in WAVES From the List of 476



Pass Deactivation's From the List of 476



Mr. LANTOS. Mr. Chairman, continuing my parliamentary inquiry, rule 12 of our committee states as follows: "Witnesses appearing before the committee shall, so far as practicable, submit written statements at least 24 hours before their appearance."

This is a carefully crafted testimony, and I would like to ask you to have the witness explain to us why members of the committee on both sides do not have a prepared statement from him.

Mr. CLINGER. I think the gentleman has indicated that this was to be a briefing, not necessarily testimony, that he was merely describing the procedures used by the Secret Service in granting passes, so that we were not aware that there was going to be any written testimony. We think it is a useful presentation, and I would ask Mr. Libonati to proceed.

Mr. LIBONATI. Thank you, Mr. Chairman.

Mr. Chairman, if I could draw your attention and the members of the committee's attention to the chart to my far right, inactives in WAVES from the list 476. The bar graph to the far right is extraordinarily significant as it relates to this issue. Ninety-four of the names of the 476 on the list were inactivated between 1984 and 1989 before we installed our current E-PASS system. They were inactivated before we installed the current system. One of these people was made inactive in February 1984.

Those 94 people, upon installation of our current system, were downloaded as inactive when we installed the system. They never appeared in our system at any time as active. They have never appeared as active in the current system which generates the lists to which everyone has referred.

Now, hypothetically, even if one were to accept that the remainder of these names were flawed—and I will show you they were not—94 of these names could not have been reflected as active.

The bar graph, the second—as we proceed down the line, there is a bar graph dated 1991. We recovered—this is a copy—we recovered an original printout, an original printout. It is an inactive-only printout from 1991; 182 of the 476 names in question appear as they should on this inactive printout.

The next document we recovered is an original active pass holder list from May 2, 1993, next on the bar graph. Three hundred and sixty-eight—368 of the 476 names in question do not appear on this list, and they should not appear on this list. This is an active pass holder list. If our computers were flawed and were indicating they were active, they would be on this list. This is a copy. We have the originals.

I move now to a very significant document, the first one we recovered, which is an original. This is a copy. We have the original, a July 31, 1993, WAVES active pass holder list. Three hundred and seventy-nine of the 476 names in question should not and do not appear on this list. We have the original.

Finally, we recovered an inactive, inactive printout, original from August 19, 1994. Four hundred and twenty-nine of the 476 names in question do and should appear on this inactive list. We have the original.

Finally, and perhaps most significantly, is this list which was provided to the Secret Service by this committee just 2 days ago, and I understand from opening remarks it was provided to you by

the White House. This list was generated from our E-PASS data base on March 31, 1993. The heading reads, "E pass, possible admin holdover pass holders by name." There are over 3,000 names on this list.

Since some prominent Republicans appear on this list, some may have concluded that this is a flawed Secret Service list, the proverbial fly in the ointment. On the contrary, this list, perhaps more than any others, best supports our testimony regarding the system, the process, and, most significantly, supports our conclusions concerning the list of 476 names.

Why do I tell you that? From the list of 476 names whose FBI files were requested, 408 of them do not and should not appear on this E-PASS list. That is for two reasons. They were made inactive before March 31, 1993, or became inactive after that date.

One additional point. It has been alleged that an old, outdated list was used continuously to create the list of 476. One of the names contained in the 476 names, Elizabeth Belfore, did not receive a pass until after July 8, 1993. We have a July 8, 1993 list. Her name is not on it. If they used an outdated list, an old list, her name could not have been on it. She was not even hired until after the list of July 8, 1993. That is impossible.

This comprehensive list was produced for the White House Office of Personnel Security for the express purpose of assisting them in reconciling those names of active pass holders with their intended holdovers. They were to review this list and inform us of those they wished to make inactive. In fact, over a period of months they did just that.

Over the next several months, upon notification, the Secret Service did remove many of these people from the active list upon their request. This list best exemplifies how the system works and supports our conclusions regarding the accuracy of the status of the 476 names.

This E-PASS list, together with the recovered lists from years past and the technical audit, all support the same conclusion, that those persons who were inactive, 379 cumulatively, through July 1993, did not appear on a Secret Service list as active pass holders. Ninety-four of them never appeared in our E-PASS data base as active. Never.

Does the Secret Service generate a printout which contains, amongst other names, the 476 names in question? The answer is yes. Contained among the master list of 24,000 active and inactive pass holders—

Mr. LANTOS. Parliamentary inquiry, Mr. Chairman.

Mr. CLINGER. The gentleman will state it.

Mr. LANTOS. Mr. Chairman, as I recall, other witnesses at other hearings have been held to the 5-minute limit.

Mr. CLINGER. I must indicate to the gentleman that that is not accurate. We have not held witnesses to the 5 minutes. I would point out that only Mr. Libonati is making any presentation here this morning. If we were to have included Mr. Cole and Mr. Undercoffer, it would have increased the time available.

I would remind the gentleman that we did have occasion to hear Mr. Nussbaum at some length without a formal presentation. So I would hope that members of the committee would be interested in

hearing law enforcement agents talk about the procedures that were involved and should be involved in the White House, and that is what this presentation is all about. The members will have all the opportunity that they require and need to pose questions to the witnesses, and I think we will have a full story.

I will now ask Mr. Libonati to proceed and hopefully conclude in a reasonable period of time.

Mr. KANJORSKI. Mr. Chairman, it would be helpful if we could have his statements so in preparing our questions—

Mr. CLINGER. We will make that available to all the members of the committee forthwith. I should make available a notation that we have an analysis of E-PASS and WAVES, a list of 476 names, which I believe is what Mr. Libonati is basically referring to, and this has been made available to all members of the committee.

Mrs. COLLINS OF ILLINOIS. Mr. Chairman, we just got that list a few minutes before this hearing began. Members haven't had a chance to read it.

Mr. CLINGER. You got it as soon as we did.

Mrs. COLLINS OF ILLINOIS. It is a prepared statement.

Mr. CLINGER. It is data useful in—

Mrs. COLLINS OF ILLINOIS. Parliamentary inquiry, Mr. Chairman.

Mr. CLINGER. The gentlelady will state it.

Mrs. COLLINS OF ILLINOIS. What is Mr. Libonati reading from?

Mr. CLINGER. He is reading from notes, as I understand it, he made to make this presentation. I find it fascinating the minority is objecting to testimony about procedures at the White House.

Mr. KANJORSKI. Mr. Chairman, I am not objecting. He is making conclusions now based on premises. I would like to be able to read those premises and conclusions.

Mr. MICA. Regular order, Mr. Chairman. There is no parliamentary inquiry.

Mrs. COLLINS OF ILLINOIS. I think the chairman and the member asking for a parliamentary inquiry should be the one to determine what it is, not other members of this committee.

Mr. PETERSON. I have this list here that is incomplete. It only has the inactives, it doesn't have the actives. It looks to me like the Secret Service is the ones who have the problem with this data base, not the White House. Why are they keeping 24,000 names on this list when they are no longer necessary?

Mr. CLINGER. These will be questions that may be asked of the witnesses upon conclusion of this presentation. Mr. Libonati may proceed.

Mr. LANTOS. Outrageous.

Mr. LIBONATI. Does the Secret Service generate a printout which contains among other names the 476 names in question? And the answer is yes. Contained amongst the master list of 24,000 active and inactive pass holders are the names of 476 people in question. On that master list is a topic field entitled "Status." Under the status field and beside each name is an "A" for—

Mr. CLINGER. The gentleman will please return to his position on the dais.

Mr. KANJORSKI. I don't like you allowing this witness to pass this material to his assistant so it may be edited. I notice there is material that is stricken on the statement, and I think it is important

that this statement, as it presently exists, be duplicated and submitted to the members of the committee.

Mr. LIBONATI. Mr. Chairman, I am willing to read the passage that was stricken. I was passing this back so it could be provided. The stricken statement was referring to the E-PASS list provided by the White House. The stricken statement reads, "Additionally, as to references made to the appearance of the name George P. Bush and President George Bush, George P. Bush the President's grandson, was issued a pass. The President Bush entry was a test run by the Secret Service."

I apologize. I struck this from my notes. I didn't know that it was important, and I was trying to make my statement brief. It is legible and readable, and I will give my statement as it reads. That is why I was handing that statement to my colleague, and I apologize.

Mr. CLINGER. Proceed.

Mr. LIBONATI. Contained amongst the master list of 24,000 active and inactive pass holders are the names of 476 people in question. On that master list is a topic field entitled "Status." Under the status field and beside each name is an "A" for "active" and an "I" for "inactive."

Could names of the 476 people whose FBI files have been requested have been copied from a Secret Service list? Yes, the names could have been copied from a Secret Service list. We believe, however, that the facts we have presented today clearly support a conclusion that the Secret Service did not provide any lists which contained gross inaccuracies that would cause the inappropriate request for FBI background files of former White House employees.

Mr. Chairman and members of this committee, I apologize for the length of this briefing. However, it is difficult to cover this subject matter in a brief opening statement.

My colleagues and I will be glad to respond to your questions.

Mr. CLINGER. Thank you. We will now proceed under the 5-minute rule, and I will have the first 5 minutes.

Mr. PETERSON. Parliamentary inquiry. I have this list here, and it does not have a format where it shows the active and inactive fields. I have a printout of all the inactive passes. Why don't we have the printout that has it in the form which you are referring to? Because this does not relate to your testimony. It does not have a field that says inactive or active.

Mr. LIBONATI. Congressman, I would have to see the list to which you refer so I could explain it to you.

Mr. CLINGER. I might indicate to the gentleman that that is not a parliamentary inquiry and should be asked during his question period.

Mr. LIBONATI. My colleague, Mr. Undercoffer, will address that, if he could.

Mr. CLINGER. Could we get a copy—

Mr. LIBONATI. The master list, sure. Lists have different ways of indicating the status. The master list indicates A and I.

[The information referred to can be found in the committee files.]

Mr. PETERSON. That is why we have this problem. If we had had this ahead of time—

Mr. SOUDER. He was going to answer the question. He keeps being rudely interrupted.

Mr. LIBONATI. Congressman, the answer to your question is, this particular printout dated 8-19-94 lists only inactive pass holders. This is one of our WAVES historic documents, and it lists those files that are scheduled for destruction in I believe the year 1999. So that is why it is one of our documents, and we would only list inactive pass holders.

Mr. PETERSON. I would like to see the other list.

Mr. LIBONATI. The master list of 24,000, we will provide for the record.

Mr. CLINGER. We will now proceed under the 5-minute rule.

Mr. Libonati, in undertaking the very extensive audit that the Secret Service has done over the past month and which you have reviewed this morning, have you been able to identify any systemic flaws that would explain how Mr. Marceca would have obtained hundreds of FBI background files using any active Secret Service lists?

Mr. LIBONATI. As stated earlier, Mr. Chairman, we found eight flaws or errors in our system. Had we only discovered those eight errors, I think the fly in the ointment theory would probably be justified. However, we audited all 476 names and found the 8 errors. My colleague Mr. Undercoffer can address how the errors occurred, but those are the only eight errors that we have found.

Mr. CLINGER. So the answer is no?

Mr. LIBONATI. No, sir.

Mr. CLINGER. The conclusion of the audit was that there were no widespread flaws or system breakdowns which resulted in the WAVE system producing grossly inaccurate or outdated access lists; is that correct?

Mr. LIBONATI. That is correct.

Mr. CLINGER. Since this has all come up in the past month and we have been listening to allegations that the Secret Service is somehow responsible for whatever Mr. Livingstone and Mr. Marceca did, to your knowledge, has anyone in the White House called the Secret Service, anybody that you know of in the Secret Service, to express any concerns about problems with your system or to raise questions about the viability of your system?

Mr. LIBONATI. Mr. Chairman, no one has called me, although I am not assigned there currently. I will check with my colleagues, at least to our knowledge.

Mr. CLINGER. Had anybody expressed concerns or raised reservations about the accuracy of your system?

Mr. COLE. Since what time, sir?

Mr. CLINGER. Since this whole matter began to emerge.

Mr. COLE. No.

Mr. CLINGER. Mr. Cole, would you confirm that you did have a conversation with Mr. Livingstone in which he indicated that it was not the Secret Service's fault and that, in fact, they somehow got hold of a bad list that was not your doing?

Mr. COLE. Yes, it is.

Mr. CLINGER. I wanted to clarify that you have done the audit of the first two lists that were made public by the White House and you have not had an opportunity to address as I understand it the

other lists that have popped up in the past month, such as Mr. Marceca's various lists of the NSC files or others he may have gotten, is that correct?

Mr. LIBONATI. That is correct, sir. We have not seen those.

Mr. CLINGER. These 476 files were those that were sought, I believe, from December 1993 through February 1994. Is that your understanding?

Mr. LIBONATI. That is my understanding, Mr. Chairman.

Mr. CLINGER. We have been told by the FBI that 89 of these files were files sought of people who were active at the White House at the time, so we take those out of the list of those inappropriately obtained, is that correct?

Mr. LIBONATI. That is correct.

Mr. CLINGER. As of December 31, 1992, 277 of the 476 names were not on the active list; is that correct?

Mr. LIBONATI. Mr. Chairman, would you repeat the dates?

Mr. CLINGER. As of December 31, 1992, 277 of the 476 names were not on the actives list; is that correct?

Mr. UNDERCOFFER. That is correct.

Mr. CLINGER. So two-thirds of the 477 were inactive on the Secret Service's computer list long before the Clinton administration ever even began; is that correct?

Mr. UNDERCOFFER. I don't know if two-thirds is the exact percentage, but thereabouts.

Mr. CLINGER. And that would mean that no list of active employees created by the Secret Service in the entire calendar year 1993 would include those names, would they?

Mr. UNDERCOFFER. That is correct, sir.

Mr. CLINGER. Mr. Marceca arrived at the White House as a detailee from the Pentagon on August 18. So before Mr. Marceca arrived, most of the names he sought FBI background files on were for inactive personnel; is that correct?

Mr. LIBONATI. That is correct, sir.

Mr. CLINGER. So no actives list produced by the Secret Service had 476 names of the people on the list that we have produced; is that correct?

Mr. LIBONATI. That is correct, sir.

Mr. CLINGER. And no one has provided you with such a list, have they?

Mr. LIBONATI. No, sir, they have not.

Mr. CLINGER. Any master list that would have been prepared would have listed most of these 476 names as inactive at any time during 1993; is that correct? They would be listed as inactive?

Mr. LIBONATI. Yes, sir.

Mr. CLINGER. On the master list, "A" is for "active" and "I" is for "inactive," and that shows on the master list?

Mr. LIBONATI. Yes, sir, it does, under the topic, Field Status.

Mr. CLINGER. Mr. Marceca said he thought "A" and "I" meant "access" and "intern" in the deposition he gave to this committee. Do you have any idea how many names would be marked "I" on the master list? Would it be most of them? On the master list—

Mr. LIBONATI. That would be about 16,000, sir, on the master list.

Mr. CLINGER. So the vast majority of them, then, would be listed as inactive.

Mr. LIBONATI. Yes, sir.

Mr. CLINGER. Agent Cole, I understand that you fully briefed Mr. Livingstone on what "A" and "I" on the access list meant, didn't you?

Mr. COLE. That is correct.

Mr. CLINGER. So we are to believe that Mr. Marceca thought Ken Duberstein, Jim Baker, Marlin Fitzwater, were holdover interns and that they were staying on from the Bush administration. That doesn't sound logical to me. I would note that Mr. Marceca's own handwritten notes indicate that he knew to put intern files in red folders and yet the files of these 476 or so were either all or mostly in the orange folders for active members.

I would note that the idea that he thought these people were interns also appears to be contrary to Mr. Marceca's other testimony which he has given to this committee that he would have sought these people's files because they might be on a board or need access.

But now we may not get answers to that because Mr. Marceca has chosen to take his Fifth Amendment privileges.

My time as expired.

I would ask unanimous consent to place all documents provided to minority counsel, including the information which has just been made available by Mr. Libonati for this hearing, into the committee record at this time. Without objection, so ordered.

[The information referred to follows:]

AUG - 9 1993

Moham
Page (1.)

THE WHITE HOUSE
WASHINGTON

1-12 Internal Files -
melissa files

13- Pending Case -

~~change - with staff:~~

~~Brick - V.F.~~

~~Red - Staff/Volunteer & internal~~

~~Blue - Support GSA-CAT-Volunteer~~

are waiting some checks by FBI

Commonwealth office of Volunteers

Brick #15. Subject Files
operational material @ yellow file

AUG 9 1993

DOT

THE WHITE HOUSE

WASHINGTON

BLACK - OK by Energy for

BLUE - ~~OK~~ INTERVIEW process forBLUE @ further
has been completed.Red - 302's from 787 - restricted.yellow - ~~OK~~ caution !!
means to pay attention.→ "red check mark" separate reporting.i.e. DWC or several reportingoffice of Dir. ^②National Space Council ^④→ Serial check: Full full in
process -

a higher - "news in computer system."

a higher of short - entire file inputted.

EXECUTIVE OFFICE OF THE PRESIDENT

28-Aug-1995 05:46pm

TO: Abner J. Mikva

FROM: D. Craig Livingstone
Office of the Counsel

SUBJECT: Personnel Security office issues

Once again, thank you for your consideration.

Today, I write to you seeking your assistance with payroll issues. Presently, my office payroll totals \$ 110k. The previous administrations payroll was \$ 170k (with one additional staff member).

I hope to increase the present payroll by \$ 14k the bulk of which \$ 12.5k, would be used to adjust my salary to \$ 70k. The remaining \$ 1.5k would bring my exec. assistant up to 30K.

I lost my exec. assistant to a better opportunity last week. I had tried and tried to secure a small raise for her. She attended three training courses and performed wonderfully in her position.

I will promote my other assistant to her position. Unfortunately, I will now have to find and train yet another person. This is much more of a task than it sounds because of the sensitivity of the information we safeguard.

Finally, my situation has gone on for more than 2 1/2 years. I have seen this office through a few storms. The most recent GAO review had my office performance rated very good when compared to the career side of the EOP.

It would be wrong not to approve my request. Not just because I was promised but because I have demonstrated that I deserve it. I apologize for my tone but this is my last try to remain part of the team.

Current salaries:	LIVINGSTONE	57.5K	Proposed salaries:	70K
	WETZEL	28.5K		30K
	HUGHES	24.0K		24K
	total	\$ 110.0K		total \$ 124K

** Please note that Hughes would move into Wetzl's position.

I look forward to hearing from you soon.

CGE 048058

EXECUTIVE OFFICE OF THE PRESIDENT

30-May-1995 10:15am

TO: Abner J. Mikva

FROM: D. Craig Livingstone
Office of the Counsel

SUBJECT: Follow-up to pay adjustment request

Greetings. Sir, thank you for your concern and continued support. I write to you this afternoon to follow-up our conversation of this past month concerning my salary. I am doing this at your suggestion and my continued frustration.

While I realize there are many professional staff in your office that are also underpaid, many of them will move on to lucrative private-sector opportunities, I, on the otherhand plan to continue a career in government service. Briefly put, as my salary is under the pay schedule for a GS-14 it would be virtually impossible for me to get rated for a GS-15 even though I possess the credentials.

My predecessor made well over 60K with TWO additional staff. I strongly believe that my level of work reviewing IRS records, adjudicating FBI backgrounds, conducting intake security interviews and developing corrective plans of action for individuals with problems that can be made right -- demonstrates that I am well deserving of a pay increase to 65K. I base that on what other security officers make (in the complex) with far less work and responsibilities. I have done my best to be a good soldier. I am facing living pay-check-to-pay-check. The raise would change all that.

I deserve the raise and I respectfully request your assistance. Once again, I thank you for your time and consideration.


CGE 048059

June 10, 1993

ASSIGNMENT FROM BILL KENNEDY & CRAIG LIVINGSTONE:

Question regarding law or regulations on drug use in the White House or EOP. If one admits (1) present, or (2) prior -- 3 months ago? 6 months ago? 5 years ago? -- drug use to the USSS or the FBI during the screening BI process, **what are the legal and/or regulatory rights, duties and responsibilities of the President with respect to that individual and the knowledge the President now possesses about the individual's violations of law?** Does the President have the authority to (1) refuse employment, (2) hire on conditions: send the individual to a health care professional to assess the individual's suitability/risk as a pre-condition of employment? (3) hire without any conditions?

FOCUS: We're dealing with individuals who serve at the pleasure of the President, not career civil servants? Does that matter? How so?

DUE DATE: Thursday, June 17, 1993

CGE 047888

THE WHITE HOUSE
WASHINGTON
July 07, 1993
(SECOND REVISION)

MEMORANDUM FOR: WILLIAM H. KENNEDY II:
THRU: CRAIG LIVINGSTONE
FROM: NANCY GEMMELL
SUBJECT: Requests for Release or Review
of Background Investigations

Following are the basic guidelines previously used when considering release or review of background investigations to another government agency or department:

-Re Presidential Appointees:

A presidential appointee (PAS) must be confirmed by the Senate and appointed by the President before the background investigation is made available for REVIEW ONLY to the appropriate government agency or department. EXCEPTIONS: BI is releasible to State Department and to Justice thru the FBI. Please note TAB A.

A presidential appointee (PA) must be appointed by the President before the background investigation is made available for REVIEW ONLY to the appropriate government agency or department. EXCEPTIONS: BI is releasible to State Department and to Justice thru the FBI. Please note TAB A.

If a presidential nominee is already working in the position for which he has been nominated and requires security clearances to be granted to perform his work, Counsel considers the merits of each request for early review of background investigation on a case by case basis.

-Re Staff Applicants:

If a White House staff member is detailed to the White House from another government agency or department, the staff member's file must totally be completed before review is allowed. Example: The background investigation must be complete and adjudicated by counsel if necessary; the IRS investigation complete and any problems addressed to satisfaction of counsel; and if applicable, financials must have been received and signed off by counsel. Even if the BI is complete, if other components are not, we do not consider the investigation ready for review.


CGE 047927

To set an appointment for review, a letter must be received from the respective government agency or department officially requesting review of BI. At time of review, the reviewer must show his or her credentials and sign a security pledge provided by Counsel's Office.

If a staff member leaves the White House and goes to another government agency or department, once confirmation has been received that said staff member has departed and that said individual is not being considered for a presidential appointment, the individual's background investigation may be released to the appropriate government agency or department. The physical release of the background investigation is done by the FBI. A letter requesting the release of the BI is to be dispatched from the appropriate government agency to us.

Steps: 1) We receive letter from appropriate government agency or department requesting release of BI;

2) If BI is determined to be releasable;
above mentioned letter is stamped,

~~AUTHORIZATION TO RELEASE~~

signed and stamped for handling;
~~WHITE HOUSE SECURITY SERVICE~~

3) When said BI is released by the FBI, the Bureau returns to us a copy of the letter we dispatched to them stating the date the information was released to said agency and exactly what material was released to them. Please note: We do not release material to another government agency or department if we do not have same material in our files.

-Exceptions:

At present if a staff member is detailed to us from the Department of State, his or her BI is releasable to State Department as long as detailee is on State Department payroll. This is a decision made previously by counsel.

Also, if a staff member is detailed to us from Department of Justice, again his or her BI has previously been releasable to Department of Justice.

Also, if an AT&T or C&P telephone company employee does some work at the Defense Department as well as here, since said employee is with private industry, BI has previously been made releasable to the Department of Defense on a case by case basis.

CGE 047928

Attached are copies of two forms used to determine staff member's status:

-The first form is sent to USSS, Room 23 OEGB, to determine if individual is still a current pass-holder;

-The second form is sent to the FBI Spin Unit to determine if individual has ever had a background investigation and, if so, was he or she processed as a presidential or staff case.

therefore, in the future it would not be necessary to send the attached form to the FBI once files are reestablished.

-When the information is returned from the USSS and from the FBI, and BI is deemed releasable the appropriate letter is dispatched to the FBI, retaining a suspense copy here for followup if necessary as well as documenting our files.

-If it is determined that the BI is NOT releasable but for REVIEW ONLY, a call is made to the appropriate government agency or department scheduling the review.

-If the BI is not yet ready for review, a call is made to the appropriate office advising said BI is not yet available for review but that a "flag" has been placed in the individual's file and that a followup call will be made when BI is available.

-Additional Possibilities:

-Requests received to review BIs for contact purposes (usually received from the CIA) are automatically referred to Counsel for decision.

-Also, requests received to review BIs of spouses in connection with investigation of subject are automatically referred to Counsel for decision.

Basic guideline that we have previously followed is that release or review of BI should be for clearance purposes for subject of the background investigation.

CGE 047929

-New Requests:

As promised I have also attached the four new requests received for action. With the exception of Mr. Catlett, I would be happy to process the other three requests for you if you would like.

Thank you.

(Attachments:

-2 Forms

-4 Letters of Request)

CGE 047930

NAMEPERM PASS HOLDER
(YES OR NO-Y OR N)CURRENT OR IN-
ACTIVATED C R S:
CGE 047931

NAMETYPE AND DATE OF INVESTIGATION(S) PROCESSED AS STAFF S: 10
AS PRESIDENTIAL (B)
CGE 047932

THE WHITE HOUSE
WASHINGTON

CONFIDENTIAL

May 5, 1993

MEMORANDUM FOR JAMES P. FARRELL
Security Officer
National Security Council

FROM: WILLIAM H. KENNEDY III *W.H.K.*
Associate Counsel to the President

SUBJECT: COMPARTMENTED CLEARANCES

This memorandum will serve as a request for access to Sensitive Compartmented Information for the employee named herein to allow him to carry out his official duties, as Director of the White House Personnel Security Office, in direct support of the President:

LIVINGSTONE, DAVID CRAIG

Date of Birth:	05/06/59
Place of Birth:	Dover, Delaware
Social Security Number:	[REDACTED]

A full-field background investigation has been conducted by the Federal Bureau of Investigation, and a copy is maintained either in the White House Security Office or the Office of Counsel to the President.

Thank you for your prompt attention to this matter.

whk/s

listfbi.whk


CGE 047963

THE WHITE HOUSE
WASHINGTON

MEMORANDUM

TO: ARNOLD A. COLE

FROM: CRAIG LIVINGSTONE
DIRECTOR OF WHITE HOUSE SECURITY

RE: DEACTIVATION OF SENATOR TOWER

DATE: MAY 27, 1993

Please deactivate the pass issued to SENATOR TOWER.
Thank You.


CGE 047989

THE WHITE HOUSE
Office of the Press Secretary

For Immediate Release

June 19, 1996

STATEMENT BY CHIEF OF STAFF LEON E. PANETTA

Today the White House is restructuring its personnel security functions by incorporating them into the Security Office of the Executive Office of the President (EOP). This office, staffed entirely by career professionals, today carries out these functions for most of EOP, and does so efficiently and effectively. It is headed by Charles "Chuck" Easley, a long-time career professional.

It is clear that the procedures in place for some three decades, through seven Administrations, at both the White House and the Federal Bureau of Investigation, were not adequate.

This restructuring, recommended by the White House Counsel, when combined with the reforms already put in place by the White House Counsel and the Federal Bureau of Investigation, will ensure that these essential security procedures are carried out efficiently, by career professionals, in a manner that protects individual privacy.

-30-30-30-


CGE 047992

THE WHITE HOUSE
WASHINGTON

June 18, 1996

MEMORANDUM FOR LEON PANETTA
CHIEF OF STAFF

FROM: JACK QUINN
COUNSEL TO THE PRESIDENT

SUBJECT: WHITE HOUSE OFFICE OF PERSONNEL SECURITY

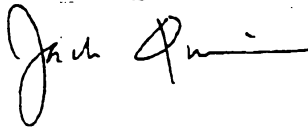
At present, the White House Office of Personnel Security conducts personnel security operations for the White House Office, the Office of the Vice President, the Office of Policy Development, and the Executive Residence. The Executive Office of the President (EOP) Security Office conducts personnel security functions for all other EOP offices except for the National Security Council (NSC), which conducts its own personnel security review in coordination with the White House Office of Personnel Security. Specifically, the EOP Security Office, which is part of the Human Resources Management Division of the Office of Administration, currently provides personnel security services to the following EOP agencies: Council of Economic Advisers, Council on Environmental Quality, Office of Administration, Office of Management and Budget, Office of National Drug Control Policy, Office of Science and Technology Policy, and the United States Trade Representative.

As you know from my memorandum to you of June 14, 1996, I have instituted a number of reforms to govern the procedures for White House requests to the Federal Bureau of Investigation (FBI) for background investigation material. In addition to those reforms, I recommend that the administrative personnel security functions currently performed by both the White House Office of Personnel Security and the NSC be incorporated into the EOP Security Office. In effect, this would mean that the EOP Security Office would serve on behalf of the White House in performing these functions with regard to White House Office, the Office of the Vice President, the Office of Policy Development, the Executive Residence, and NSC personnel. I believe that the reforms I instituted last week -- such as requiring the current, signed consent of the individual about whom information is sought to accompany White House requests of the FBI -- will be implemented most effectively and efficiently by merging the several existing security operations into the administrative office that currently performs security functions for the EOP.

The EOP Security Office is currently supervised by Charles "Chuck" Easley, who is a career employee hired during the Reagan Administration and who has served for ten years as the EOP Security Officer. Mr. Easley retired from the U.S. Army after 20 years. He served for 12 years as a Counterintelligence Special Agent in the Army, and for eight of those years, he served as the Technical Security Advisor to the Security Officer of the Joint Chiefs of Staff. Mr. Easley, heads a career staff at the EOP Security Office, will continue to report to the Associate Director for Human Resources Management of the Office of Administration, a career personnel specialist, who, in turn, reports to the Director of the Office of Administration.

If you approve this recommendation, the EOP Security Office will conduct its work on White House personnel in accordance with the procedures established by the Counsel to the President. As always, suitability decisions will remain the responsibility of Counsel to the President. In addition, all background investigation material regarding White House personnel will remain under the control of the Counsel to the President and will be maintained separate and apart from EOP personnel security files.

Under the new procedures I established last week, requests to the FBI for background investigation information on White House personnel will require -- in addition to the current, signed consent of the individual -- the approval of the Counsel to the President or specifically designated attorneys in the Counsel's Office. Furthermore, under the proposed plan, access to FBI background investigations would be limited to those White House and EOP employees authorized in writing by the Chief of Staff and the Counsel to the President whose assigned duties require the review or processing of such information.


CGE 047994

CHARLES C. EASLEY

RELEVANT SECURITY EXPERIENCE: Security Officer, Office of Administration October 1, 1986, to present. Performs duties as the Security Officer, Executive Office of the President (EOP), serving seven EOP agencies. Duties involve all aspects of a personnel security program including security interviews, adjudication of background investigations, and the maintenance of security files and records. Career civil service position. Requires a close daily working relationship with both the FBI and the Secret Service.

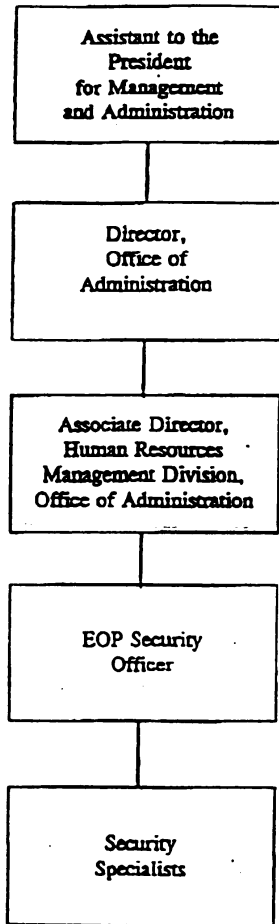
Related Experience
Served a total of 20 years in U.S. Army, retired in 1978. For 12 of these years, served as a Counterintelligence Special Agent conducting counter-intelligence inspection and investigations. This included eight years as the Technical Security Advisor to the Security Officer of the Joint Chiefs of Staff (JCS), responsible for planning, implementing and supervising security operations, including both technical and physical security. Bronze Star recipient.

CAREER RELATED EDUCATION: Various seminars pertaining to personnel and communication security presented by CIA, FBI, NSA, OPM and Department of Defense
Senior Enlisted Advance Course, US Army Intelligence Command
Defense Against Sound Equipment, US Army Intelligence Command
Special Agent's Course, US Army Intelligence Command

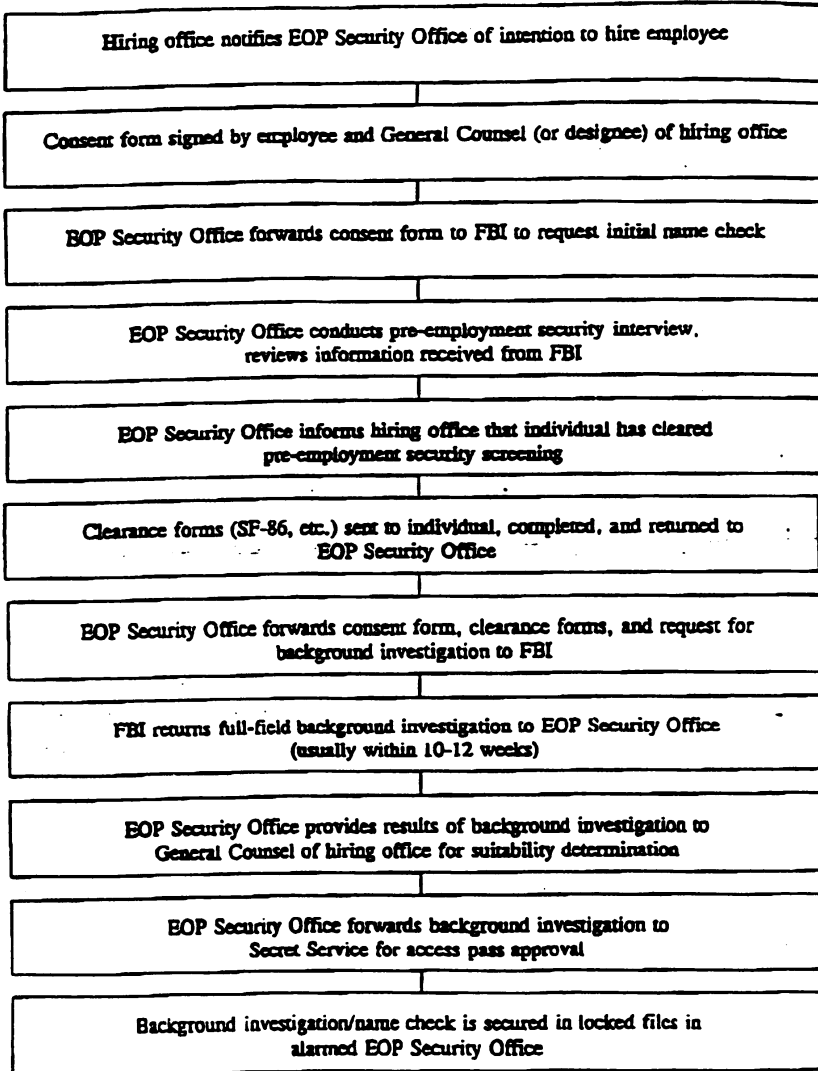
PERSONALS: Born November 23, 1939, Portageville, MO.
Married Jeanine Easley on November 4, 1989.
Three children from a previous marriage, two step-children from current marriage.


 CGE 047995

**Executive Office of the President Security Office
Organization Chart**



CGE 047896

EXECUTIVE OFFICE OF THE PRESIDENT CLEARANCE PROCESS
CGE 047997

MEMORANDUM

TO: VINCENT FOSTER
FROM: KENNEDY
RE: OFFICE OF WHITE HOUSE SECURITY
DATE: FEBRUARY 18, 1993

I attach for your information a description of the functions of the White House Security Office, which I received from today from Craig Livingstone. The result of all of these functions is that the Office moves much paper.

I need to discuss this subject with you when you have time.

whk/s



MEMORANDUM

THE WHITE HOUSE

WASHINGTON

TO: William Kennedy, Associate Counsel to the President
 FR: Craig Livingston *Living*
 DA: 17 February 1993
 RE: White House Security Update

I. DUTIES OF THE WHITE HOUSE SECURITY OFFICE

- Process security papers in function with obtaining clearances for Presidential appointees and White House complex staff members;
- Handle daily contact with the Federal Bureau of Investigation;
- Work with the Internal Revenue Service as another part of the security clearance procedure;
- Maintain frequent contact with attorneys on an individual case basis;
- Work with the United States Secret Service in processing applicants for access and White House passes;
- Maintain clearance process for White House volunteer/intern program;
- Initiate memoranda to the attorneys;
- Prepare correspondence for signature by the Assistant to the Counsel to the President; and
- Initiate and maintain security interview process on both staff applicants and volunteer/interns;
- Process Compartmented Clearances for all staff within the Complex who have NEED TO KNOW in handling of classified documents in support of the President on a daily basis. In addition to certain Commissioned Officers who have a NEED TO KNOW, certain support staff in the immediate offices of the President should be included since they are in the "paper flow" in the handling of classified documents above TOP SECRET. The National Security Council is responsible for filling out forms at our request for the C.I.A. The Agency, in turn, reviews the particular FBI report on an individual and, assuming the information is accepted, will brief him/her for Code Word clearance.
- Initiate, through the National Archives, the FBI investigations of former President's support staff (including updates every five years) in order for them to have access to classified papers of the particular ex-President.
- Act as principal liaison with all government-wide department/agency security officers in assisting in their clearance process. As mentioned previously, when an employee leaves the White House, we receive inquiries requesting security information for the department or agency employing that individual. Since the



CGF 047070

MEMORANDUM

THE WHITE HOUSE

WASHINGTON

White House no longer "has an interest" in the former employee, we request a letter stating the department/agency needs the FBI report for their clearance purposes. We then determine that the individual is leaving or has left the White House employ and approve release by the FBI to the department/agency, as follows:

The letter is then returned by the FBI noting the appropriate release to the federal agency, to be made part of their security file of the individual.

-Maintain a five-year update program for all employees required under E.O. 10450.


CGE 047971

MEMORANDUM

TO: BERNARD NUSSBAUM

FROM: WILLIAM H. KENNEDY III

RE: WHITE HOUSE SECURITY OFFICE

DATE: FEBRUARY 23, 1993

What follows is a list, on an overview basis, of the major functions of the White House Security Office.

1. Processes "compartmented clearances" for White House employees who handle above "Top Secret" materials on a need-to-know basis; i.e., if a White House employee, in performing his or her functions, must see or be briefed upon above-Top Secret information, the NSC, at the request of the Security Office, makes a request therefor to the CIA, which then reviews the FBI report on the individual and either grants or withholds clearance.
2. Maintains a five-year update program, required by Executive Order, for all White House employees to update background investigations.
3. Initiates, through National Archives, FBI investigations of former Presidential support staff, including updates every five years, for access to classified papers of ex-Presidents.
4. Facilitates delivery of security/background information to other agencies/departments regarding White House employees who leave White House employment.
5. Processes security papers for employees of the White House Complex.
6. Interacts with Secret Service in processing applicants for access and WH passes.
7. Maintains the clearance process for White House volunteer/intern programs.
8. Assists/coordinates the FBI clearance process for White House staff members.

whk/s
cc: Foster

CGE 047968

"my situation has gone on for more than 2 1/2 years. I have seen this office through a few storms....It would be wrong not to approve my request [for a \$12,500 raise]. Not just because I was promised but because I have demonstrated that I deserve it. I apologize for my tone but this is my last try to remain part of the team."

- Craig Livingstone in an August 28, 1995 memo to White House Counsel Abner Mikva

May 1

9:52 a.m. enter
4:38 p.m. exit

May 2

9:20 a.m. enter
12:29 p.m. exit
2:11 p.m. enter
5:37 p.m. exit

May 3

10:16 a.m. enter
2:16 p.m. exit
5:34 p.m. exit
5:36 p.m. enter
5:41 p.m. exit

May 6th

10:31 a.m. enter
12:30 p.m. exit
4:35 p.m. exit

May 7th

5:31 p.m. exit

May 8

10:55 a.m. enter

11:17 a.m. exit
 2:40 p.m. enter
 5:16 exit

May 9

6:12 p.m. exit

May 10

12:38 p.m. exit
 12:56 p.m. enter
 4:05 p.m. exit
 5:16 p.m. enter
 8:08 p.m. exit

*

May 13

10:21 a.m. enter
 12:06 p.m. exit

May 14

9:57 a.m. enter
 12:29 p.m. exit
 12:49 p.m. enter
 6:12 p.m. exit

May 15

9:06 a.m. enter
 5:18 p.m. exit

*

May 16

1:26 p.m. exit
 1:38 p.m. enter
 5:15 p.m. exit

May 17

12:18 p.m. exit
 12:26 p.m. enter

*

May 20

10:16 a.m. enter
 11:17 a.m. exit

5:28 p.m. exit

May 21

8:47 a.m. enter

12:29 p.m. exit

2:42 p.m. enter

6:11 p.m. exit

May 22

1:01 p.m. exit

1:11 p.m. enter

3:54 p.m. exit

* May 23

12:36 p.m. exit

5:54 p.m. exit

* May 24

12:40 p.m. enter

6:48 p.m. exit

* May 28

11:37 a.m. enter

1:15 p.m. exit

2:03 p.m. enter

6:14 p.m. exit

May 29

5:09 p.m. exit

* May 30

11:50 a.m. enter

6:46 p.m. exit

* May 31

11:16 a.m. enter

12:23 p.m. exit

12:34 p.m. enter

1:25 p.m. exit

2:51 p.m. enter

10:18 p.m. exit

June 3

2:26 p.m. exit
2:39 p.m. enter
3:23 p.m. exit

~~*~~

June 4

11:31 a.m. enter
5:49 p.m. exit
9:26 p.m. exit

June 5

7:14 p.m. exit

~~*~~

June 6

8:25 a.m. enter
6:11 p.m. exit

June 7

6:44 p.m. exit

June 10

8:27 a.m. enter
7:55 p.m. exit

June 11

8:58 a.m. enter
12:53 p.m. exit
1:07 p.m. enter

June 12

9:07 a.m. enter
12:52 p.m. exit
1:03 p.m. enter
5:04 p.m. exit
10:41 p.m. exit

June 13

9:21 a.m. enter

6:01 p.m. exit

June 14

8:55 a.m. enter

2:21 p.m. exit

June 17

9:49 a.m. enter

4:43 p.m. exit

All Entry Exits for 05/01/96 - 05/31/96; BADGE - 34BF12;
 BETWEEN 12:00:00AM AND 11:59:59PM - Page 1
 DATE TIME..... L NAME..... F NAME.... M BADGE. TYP POS L STATUS..

CGE 047859

31	10:18:57PM	LIVINGSTONE	D. CRAIG	34BF12	P	B4	3	EXITING
31	02:51:30PM	LIVINGSTONE	D. CRAIG	34BF12	P	B4	2	ENTERING
31	01:25:21PM	LIVINGSTONE	D. CRAIG	34BF12	P	B4	3	EXITING
31	12:34:11PM	LIVINGSTONE	D. CRAIG	34BF12	P	D2	1	ENTERING
31	12:23:50PM	LIVINGSTONE	D. CRAIG	34BF12	P	D3	3	EXITING
31	11:16:11AM	LIVINGSTONE	D. CRAIG	34BF12	P	B4	2	ENTERING
30	06:46:41PM	LIVINGSTONE	D. CRAIG	34BF12	P	B4	3	EXITING
30	11:50:10AM	LIVINGSTONE	D. CRAIG	34BF12	P	B4	2	ENTERING
29	05:09:46PM	LIVINGSTONE	D. CRAIG	34BF12	P	B4	3	EXITING
28	06:14:28PM	LIVINGSTONE	D. CRAIG	34BF12	P	B4	3	EXITING
28	02:03:17PM	LIVINGSTONE	D. CRAIG	34BF12	P	D2	1	ENTERING
28	01:15:34PM	LIVINGSTONE	D. CRAIG	34BF12	P	D2	3	EXITING
28	11:37:52AM	LIVINGSTONE	D. CRAIG	34BF12	P	B4	2	ENTERING
24	06:48:29PM	LIVINGSTONE	D. CRAIG	34BF12	P	B4	3	EXITING
24	12:40:54PM	LIVINGSTONE	D. CRAIG	34BF12	P	B4	2	ENTERING
23	05:54:21PM	LIVINGSTONE	D. CRAIG	34BF12	P	B4	3	EXITING
23	12:36:38PM	LIVINGSTONE	D. CRAIG	34BF12	P	B4	3	EXITING
22	03:54:47PM	LIVINGSTONE	D. CRAIG	34BF12	P	B4	3	EXITING
22	01:11:06PM	LIVINGSTONE	D. CRAIG	34BF12	P	D2	1	ENTERING
22	01:01:23PM	LIVINGSTONE	D. CRAIG	34BF12	P	D3	3	EXITING
21	06:11:47PM	LIVINGSTONE	D. CRAIG	34BF12	P	B4	3	EXITING
21	02:42:21PM	LIVINGSTONE	D. CRAIG	34BF12	P	B4	1	ENTERING
21	12:29:11PM	LIVINGSTONE	D. CRAIG	34BF12	P	D3	3	EXITING
21	08:47:23AM	LIVINGSTONE	D. CRAIG	34BF12	P	B4	2	ENTERING
20	05:28:11PM	LIVINGSTONE	D. CRAIG	34BF12	P	B4	3	EXITING
20	11:17:09AM	LIVINGSTONE	D. CRAIG	34BF12	P	D3	3	EXITING
20	10:16:56AM	LIVINGSTONE	D. CRAIG	34BF12	P	B4	2	ENTERING
17	12:26:45PM	LIVINGSTONE	D. CRAIG	34BF12	P	D2	1	ENTERING
17	12:18:13PM	LIVINGSTONE	D. CRAIG	34BF12	P	D2	3	EXITING
16	05:15:28PM	LIVINGSTONE	D. CRAIG	34BF12	P	B4	3	EXITING
16	01:38:12PM	LIVINGSTONE	D. CRAIG	34BF12	P	D2	1	ENTERING
16	01:26:16PM	LIVINGSTONE	D. CRAIG	34BF12	P	D3	3	EXITING
15	05:18:47PM	LIVINGSTONE	D. CRAIG	34BF12	P	B4	3	EXITING
15	09:06:48AM	LIVINGSTONE	D. CRAIG	34BF12	P	B4	1	ENTERING
14	06:12:12PM	LIVINGSTONE	D. CRAIG	34BF12	P	B4	3	EXITING
14	12:49:23PM	LIVINGSTONE	D. CRAIG	34BF12	P	D2	1	ENTERING
14	12:29:13PM	LIVINGSTONE	D. CRAIG	34BF12	P	D2	3	EXITING
14	09:57:15AM	LIVINGSTONE	D. CRAIG	34BF12	P	B4	1	ENTERING
13	12:06:55PM	LIVINGSTONE	D. CRAIG	34BF12	P	D3	3	EXITING
13	10:21:09AM	LIVINGSTONE	D. CRAIG	34BF12	P	B4	1	ENTERING
10	08:08:44PM	LIVINGSTONE	D. CRAIG	34BF12	P	B4	3	EXITING
10	05:16:03PM	LIVINGSTONE	D. CRAIG	34BF12	P	D1	2	ENTERING
10	04:05:46PM	LIVINGSTONE	D. CRAIG	34BF12	P	A5	3	EXITING
10	12:56:14PM	LIVINGSTONE	D. CRAIG	34BF12	P	D2	1	ENTERING
10	12:38:28PM	LIVINGSTONE	D. CRAIG	34BF12	P	D3	3	EXITING
09	06:12:10PM	LIVINGSTONE	D. CRAIG	34BF12	P	B4	3	EXITING
08	05:16:22PM	LIVINGSTONE	D. CRAIG	34BF12	P	B4	3	EXITING
08	02:40:55PM	LIVINGSTONE	D. CRAIG	34BF12	P	B4	2	ENTERING
08	02:40:35PM	LIVINGSTONE	D. CRAIG	34BF12	P	B4	2	BAD PIN
08	11:17:56AM	LIVINGSTONE	D. CRAIG	34BF12	P	B4	3	EXITING
08	10:55:03AM	LIVINGSTONE	D. CRAIG	34BF12	P	B4	2	ENTERING
08	10:54:40AM	LIVINGSTONE	D. CRAIG	34BF12	P	B4	2	BAD PIN
08	10:54:16AM	LIVINGSTONE	D. CRAIG	34BF12	P	B4	2	BAD PIN
07	05:31:03PM	LIVINGSTONE	D. CRAIG	34BF12	P	B4	3	EXITING
06	04:35:11PM	LIVINGSTONE	D. CRAIG	34BF12	P	B4	3	EXITING
06	12:30:59PM	LIVINGSTONE	D. CRAIG	34BF12	P	A5	3	EXITING

All Entry Exits for 05/01/96 - 05/31/96; BADGE - 34BF12;
 BETWEEN 12:00:00AM AND 11:59:59PM - Page 2
 DATE TIME..... L NAME..... F NAME.... M BADGE. TYP POS L STATUS.....

06	10:31:58AM	LIVINGSTONE	D. CRAIG	34BF12	P	B4	2	ENTERING
03	05:41:01PM	LIVINGSTONE	D. CRAIG	34BF12	P	B4	3	EXITING
03	05:36:20PM	LIVINGSTONE	D. CRAIG	34BF12	P	B4	2	ENTERING
03	05:34:34PM	LIVINGSTONE	D. CRAIG	34BF12	P	B4	3	EXITING
03	02:16:29PM	LIVINGSTONE	D. CRAIG	34BF12	P	B4	3	EXITING
03	10:16:44AM	LIVINGSTONE	D. CRAIG	34BF12	P	B4	2	ENTERING
02	05:37:50PM	LIVINGSTONE	D. CRAIG	34BF12	P	B4	3	EXITING
02	02:11:32PM	LIVINGSTONE	D. CRAIG	34BF12	P	B4	1	ENTERING
02	12:29:38PM	LIVINGSTONE	D. CRAIG	34BF12	P	B4	3	EXITING
02	09:20:03AM	LIVINGSTONE	D. CRAIG	34BF12	P	B4	2	ENTERING
01	04:38:37PM	LIVINGSTONE	D. CRAIG	34BF12	P	D4	3	EXITING
01	09:52:10AM	LIVINGSTONE	D. CRAIG	34BF12	P	D2	1	ENTERING

CGE 047858

EXECUTIVE OFFICE OF THE PRESIDENT

21-Apr-1995 12:57pm

TO: All ALL-IN-1 users on this node
FROM: OASIS Manager
SUBJECT: Security Screening at the White House Complex

MEMORANDUM FOR ALL EXECUTIVE OFFICE OF THE PRESIDENT EMPLOYEES

FROM: THOMAS FARRELL
SPECIAL AGENT IN CHARGE, SAIC
WHITE HOUSE DIVISION, UNITED STATES SECRET SERVICE

The Secret Service has improved the Access Control System at the White House Complex. Magnetometer (metal detection) screening can now be accomplished with greater sensitivity. The result of this enhanced screening process will be a more secure environment for everyone.

The cooperation of all those entering the complex with this screening process will minimize entry delays. The instructions of the officers at the entry points must be followed at all times.

All bags, purses and any other belongings carried in to the complex are subject to being x-rayed or hand searched. The use of the main entry gates, which have x-ray capability, will reduce the need for bags, purses and packages to be hand searched. The gates with the large x-ray capabilities are: OEOB - 17th & G entrance and Pennsylvania Avenue entrance; NEOB - 17th Street entrance. At other entry points, it will be necessary for officers to hand search your belongings. Please note that x-ray screening will not damage your personal computers or film.

There are a number of items which should never be brought into the White House Complex. Among them are firearms, knives with blades over three inches in length, fireworks, any hazardous material, or any item which might be interpreted as a dangerous weapon.

As a reminder, the Uniformed Division will provide after hour escorts for staff to their vehicles. The Control Center should be called at extension 5-4497 at least ten minutes before you wish to depart. Let the Control Center know from which gate you will be departing and an officer will meet you at that gate. (On rare


CGE 048223

occasions ongoing events may cause some delay in providing an escort.)

Any procedural problems should be addressed with the Uniformed Division Watch Commander at extension 5-4366.

Your cooperation and assistance is appreciated.



THE WHITE HOUSE
WASHINGTON

M E M O R A N D U M

TO: JODIE TORKELSON
DEPUTY ASSISTANT TO THE PRESIDENT
FOR MANAGEMENT AND ADMINISTRATION

FROM: CRAIG LIVINGSTONE *CL*
DIRECTOR, WH PERSONNEL SECURITY

RE: W.A.V.E.S. PROCEDURES

DATE: NOVEMBER 16, 1994

I have spoken with Tom Farrell, SAIC/USSS White House Division, regarding WAVES procedures. Henceforth, USSS/WHD will notify this office, in writing, when an individual has been cleared for appointment status five times within a seven day period. WH Personnel Security will then contact the appointment maker to determine if security/personnel paperwork is necessary.

If it is determined that security/personnel paperwork is required the appointee will be placed on temporary "Do Not Admit" status preventing them from access to the White House Complex prior to the completion of required paperwork and security checks.

WH Personnel Security will work with Management and Administration to ensure that all required procedures are followed in conjunction with the USSS.

cc: Tom Farrell
SAIC/USSS WHD

CGE 048202

THE WHITE HOUSE
WASHINGTON

July 13, 1993

MEMORANDUM TO ALL WHITE HOUSE COMPLEX STAFF

FROM: WILLIAM H. KENNEDY III *WHK*
ASSOCIATE COUNSEL TO THE PRESIDENT
AND WHITE HOUSE SECURITY OFFICER

SUBJECT: WAVES CLEARANCES

Interns and volunteers are being requested to clear persons into the complex.

Be advised that only staff (i.e., not volunteers or interns) holding hard badges may make appointments for entrance into the complex via the WAVES system by either telephone or OASIS. Accordingly, do not request an intern or a volunteer to clear anyone for entrance into the complex. Doing so is a security violation; violation of this requirement may result in the denial of a permanent pass, and may also result in dismissal of the intern or volunteer.

Administrative staff are requested to take all steps necessary to familiarize staff with this requirement.

whk/s

*P.T. To talk to
LIVINGSTONE
about this*


CGE 048215

4-16-93

Harry Bob Coy - California
 2 or 3 Presidential Details

Bruce / Harry Thomason - Head of
 all Protection
 Services in
 Western
 U.S.

Ghosts -

Harry Thomason -

- Put this data into a form
 you can use -

- George Stewart - 55 -
 - Treasury Dept. -

Dept. of 3 people

2 Agents
 talking Bob
 Woodward

Charter - ~~the~~ Press

he taking Kick-backs

* Ask for 5% Kick-back -

Conduit -

C O P
from ORM
076625-8002

DAVID CRAIG LIVINGSTONE
6717 Hillandale Road
Chevy Chase, MD 20815
(301) 654-5478

RESUME

Sponsored by
El. Sg. 1

D

RESUMIX

SUMMARY Completing tenth year as a promotional events consultant to media, industry, and high ranking government officials. Functional activities have included: public relations, community affairs, logistics, publicity, and operations.

EMPLOYMENT HISTORY

Presidential Inaugural Committee, Director of Security, Washington D.C., November 1992 to present, with responsibility for security at inaugural headquarters and all events. Mission statement - "Protect the integrity of the Office of the President."

- Currently developing security plan for America's "Premier Event".
- Coordinating the preparedness of 13 law enforcement and medical agencies.
- Securing computer network against fraud and theft.
- Developing Command Post operations and procedures for communication, emergency, demonstration, sabotage, as well as bomb and fire contingencies.

President-Elect Clinton and Vice-President-Elect Gore, Lead and Site Lead Advance, Washington D.C., November 1992.

- Site Lead for Vice-President-Elect Gore's speech to honor the Tenth Anniversary of the Vietnam Memorial.
- Site Lead for President-Elect Clinton's neighborhood walk on Georgia Avenue, Washington D.C. (selected site and directed event).

Senior Consultant to Counter-Event Operations, Clinton/Gore '92, Little Rock, Arkansas, October 1991 to November 1992, responsible for Special Operations and Advance for the Governor's successful Primary and General Election.

- Produced 15 major campaign events during Presidential run, including work on three debates.
- Managed a volunteer staff of twenty.
- Successfully deployed several of the infamous "Pinocchio" and "Chicken George" media events.
- Coordinated security to DNC finance Committee VIP operations at Democratic National Convention.
- Assisted in the creation and execution of mission objectives of the Clinton for President, Washington D.C. local headquarters and organization of its local chairs.

CGE 046225

Media Events Consultant, self-employed, 1990-1992, with responsibility for media and logistics support for various clients.

- Served as policy consultant on various community affairs projects.
- Scouted and developed sites for several advertising shoots.
- Coordinated on-site operations for eight large conventions.

Public Relations Account Executive, Trahan, Burden and Charles, Baltimore, MD, 1989-1990, with responsibility for developing a public affairs program for a 7 million dollar advertising account.

- Credited by client's CEO as being key factor for 42 million dollar sales increase.
- Orchestrated press conferences.
- Briefed and prepared client for legislative appearances.

Publicist, Universal Pictures, Los Angeles, CA, 1988-1989, with responsibility for coordinating screenings of "The Last Temptation of Christ" by press and religious leaders in ten cities throughout the United States.

- Hired and managed security for the events.

Operations Director, Democratic National Committee Convention Staff, Atlanta, Georgia, 1988, with responsibility for coordinating operations for DNC Chairman Paul Kirk.

- Coordinated logistics for attending Governors and House Members.
- Managed a staff of thirty support people.

Trip Director, Al Gore Jr. for President, Washington D.C., 1988, with responsibility for assisting the Senator's daily schedule, travel, and communications.

- Produced Presidential Announcement.
- Traveled daily with the Senator and coordinated activities with the U.S. Secret Service, media and state offices.

City Coordinator, U.S.-Soviet Public Summit, Baltimore, MD, 1987, with responsibility for coordinating city-wide public forum on U.S.- Soviet relations.

- Secured endorsement for the program from State and City officials.
- Raised 500 thousand dollars in support from local corporations.
- Designed advertising campaign.
- Enacted public school portion of the program.

CGE 046226

Executive Assistant, U.S. Senator Timothy E. Wirth, Washington D.C., 1986-1987, with responsibility for coordinating the Senator's transition from the House of Representatives to the U.S. Senate.

- Liaised with government agencies.
- Directed special events on behalf of corporate constituents.

Press Officer, Farm Aid III, Lincoln, Nebraska, 1986, with responsibility for coordinating press activity at national concert designed to raise money for the debilitated portion of the farming community.

Operations Director, Hands Across America, Baltimore, Maryland, 1986, with responsibility for directing this national goodwill gesture within the State of Maryland.

- Coordinated security needs for approximately 800,000 participants.
- Supervised a paid staff of three and a volunteer staff of 1500.
- Promoted corporate involvement which netted over 3.5 million dollars.
- Secured permits for 172 miles of roadways throughout Maryland.

Advance Man, Reagan/Gorbachev Summit Meeting, Geneva, Switzerland, 1985, with responsibility for arranging international press appearances for the two leaders.

- Secured 55 minute meeting for non-elected U.S. citizens with the General Secretary.

Advance Man, Gary Hart for President / Gerry Ferraro for Vice-President, Washington D.C., 1984, with responsibility in both campaigns for organizing large crowd events and managing logistics.

National Vice-President, United States Student Association, Washington D.C., 1981-1983, with responsibility for presiding over 18 member board of directors.

- Spokesperson for the 11 million member lobby group.



OTHER RELEVANT EXPERIENCE

- Extensive crisis oriented media contact.
- Designed and executed a political campaign that rewarded a corporate development with a 3.7 million dollar tax-abatement.
- Coordinated domestic/international travel, security, lodging and publicity for various members of the Hollywood entertainment community.
- Negotiated contracts with hotels, car rental agencies and airlines on behalf of national associations and their conventions.
- Served as promotion manager of a new national beer.
- Researched issues, prepared testimony, and served as national spokesperson before U.S. Congress and national media.
- Represented U.S. students in conferences in Poland and Czechoslovakia.
- Contributing reporter for university paper.
- Guest Lecturer on public relations and political events at Harvard University and American University.
- Extensive work with minority communities.

EDUCATION

BS, Liberal Studies, University of the State of New York, Albany, NY, 1982

046228

REFERENCES

Eli Segal
Chief Financial Officer, Clinton-Gore Presidential Transition Team
(202) 973-2600

Roy Neel
Chief of Staff, Vice-President-Elect Albert Gore, Jr.
(202) 973-2600

Kathy Garnezy, Executive Director
Hollywood Women's Committee
(213) 559-9334

Walton Chalmers, Chief of Staff
Cassidy and Associates
(202) 347-0773

Paige Reece
Former Chief of Staff to U.S. Senator Wirth
(202) 624-8400

Fred Droz
Operations Director, Hands Across America
(714) 549-0068

Nancy Jacobson
Director of Finance, Inaugural Committee '92
(202) 252-1200

Charlene Drew Jarvis
D.C. Councilmember, Clinton-Gore Co-Chair
(202) 724-8052



UNITED STATES SENATE
EMPLOYMENT HISTORY TRANSCRIPT

EMPLOYEE NAME: LIVINGSTONE, DAVID CRAIG
EMPLOYEE ID : XXXXXXXXXX

OFFICE NAME	DATE	ACTION TYPE	JOB CLASS	SALARY
OFFICE OF SEN-ELECT WIRTH				
	11/12/86	EXC APPT	EXECUTIVE ASST	30,000.00
	01/02/87	TRANS OUT		30,000.00
OFFICE OF SENATOR WIRTH				
	01/03/87	TRANS	EXECUTIVE ASSISTANT	30,000.00
	06/18/87	ADMPAY DEC		1,334.00
	07/01/87	ADMPAY INC		30,000.00
	10/01/87	TERM		30,000.00
OFFICE OF SENATOR WIRTH				
	10/13/87	EXC APPT	EXECUTIVE ASSISTANT	75,000.00
	10/18/87	ADMPAY DEC		43,000.00
	11/01/87	ADMPAY DEC		1,334.00
	12/31/87	TERM		1,334.00

CERTIFIED CORRECT:

Stuart F. Balderson
STUART F. BALDERSON
FINANCIAL CLERK,
UNITED STATES SENATE
APRIL 13, 1993

CGE 046202

Presidential Transition Resume Routine Form

From: Eli SegalName of Applicant: David C. Livingston Date: 12/10/92Senior Staff Only: Will you sponsor this applicant? ☒ yes ☐ no

All Others: What is your recommendation?

☐ Highly Recommended ☐ Recommended ☐ Consider

(1) Campaign:

- ☒ CG: Clinton/Gore National Staff
☐ CC: Coordinated Campaign Staff
☐ DN: Democratic National Comm.
☐ FI: Finance
☐ VF: Full-time Volunteer
☐ VP: Part-time Volunteer
☐ NC: Not Campaign

(2) Job Preference/Area of Interest:

- | | |
|--|--|
| ☐ Accounting | ☐ Information Systems |
| ☐ Administration | ☐ Intergovernmental Relations |
| ☒ Advance | ☐ Legal |
| ☐ Clerical | ☒ Public Affairs/Press |
| ☐ Congressional Relations | |

(3) Job Level:

☐ Sub-cabinet ☒ Senior Level ☐ Entry Level ☐ Other (Please Specify)

(4) Agency/Department Preference (note top two choices):

- | | |
|--|--|
| ☐ Agriculture | ☐ Interior |
| ☐ Arts/Humanities | ☐ Justice |
| ☐ Education | ☐ Labor |
| ☐ Commerce | ☐ NASA |
| ☐ Defense | ☐ Office/Management & Budget |
| ☐ Energy | ☐ Office/Personnel Management |
| ☐ Environmental Protection | ☐ Science/Space/Technology |
| ☐ EEOC | ☐ State |
| ☐ FDIC | ☐ Transportation |
| ☐ Health/Human Services | ☐ Treasury |
| ☐ Housing/Urban Development | ☐ Veterans Affairs |
| | ☐ Other (please describe) |

(5) Comment:

Please send this form and attached resume (for candidates) to:

Presidential Transition
 Office of Personnel
 1128 Vermont Avenue, NW
 Washington, DC 20278

CGE 046218

FWD

12/11/92

12/14/92

NAME: Livingston
 SSN: _____

NEW HIRE CHECKLIST

- | | |
|--|---|
| ___ SF-75 Request for Preliminary Employment Data | ___ Tax Forms: Federal and State |
| ___ SF-171 Application for Federal Employment | ___ Memo concerning LES/Direct Deposit |
| ___ DD-214 Military Discharge | ___ SF-1199A Direct Deposit Form |
| ___ SF-61 Appointment Affidavit | ___ Designation of Beneficiaries |
| ___ SF-61b Declaration of Appointee | ___ SF-2809 Health Benefit Registration |
| ___ I-9 Employment Eligibility Statement | ___ Notification given by _____ date and _____ |
| ___ SF-177 Statement of Physical Ability for Light Duty Work | ___ SF-2817 Life Insurance Election |
| ___ SF-256 Self Identification of Handicap | ___ Notification given by _____ date and _____ |
| ___ SF-144 Statement of Prior Federal Service | ___ SF-2810 Change in Health Benefit Enrollment |
| ___ SF-181 Race and National Origin | ___ Request all prior service |
| ___ Selective Service Statement | ___ Service requested on _____ date and _____ |

Retirement Code: K J. Bradley Retirement System Notice: _____

Michele Joy my

TSP DATA	HEALTH INSURANCE DATA
Status: <u>On</u>	FEHB Temp. Suspense Date: _____
Status Date: <u>1-8-93</u>	FEHB Code: <u>FE 31 eff 3-14-93</u>
Eligibility Date: <u>1-2-94</u>	LIFE INSURANCE DATA
TSP-SCD: <u>28-93</u>	LI CODE: <u>C</u>
Vesting Code: <u>3</u>	<u>B eff 3-14-93</u>



Personnel Assistant _____

Date _____

Quality Control _____

Date _____

CRAIG LIVINGSTONE

started at \$45,000

10/10/93 -- raised from \$45,000 to \$51,000

1/8/95 -- raised from \$51,000 to \$57,500

10/1/95 -- raised from \$57,500 to \$63,750



CGE 046217

THE WHITE HOUSE
WASHINGTON**CONFIDENTIAL**

May 5, 1993

MEMORANDUM FOR JAMES P. FARRELL
Security Officer
National Security Council

FROM: WILLIAM H. KENNEDY III *W.H.K.*
Associate Counsel to the President

SUBJECT: COMPARTMENTED CLEARANCES

This memorandum will serve as a request for access to Sensitive Compartmented Information for the employee named herein to allow him to carry out his official duties, as Director of the White House Personnel Security Office, in direct support of the President:

LIVINGSTONE, DAVID CRAIG

Date of Birth:	05/06/59
Place of Birth:	Dover, Delaware
Social Security Number:	

A full-field background investigation has been conducted by the Federal Bureau of Investigation, and a copy is maintained either in the White House Security Office or the Office of Counsel to the President.

Thank you for your prompt attention to this matter.

whk/s

listfbi.whk


CGE 047963

✓ 10-20-43
C 3

ok for
Linda

**THE WHITE HOUSE
CHANGE IN EMPLOYEE STATUS**

Name: <u>LIVINGSTONE, D. CRAIG</u>		
Last	First	Middle Initial
SSN: _____		
X The Appropriate Box (s)		
☐ Reassignment within the White House Office (complete all data below on the new position)		
☐ Change in the Title (enter position title below)		
☒ Change in Salary (enter salary below)		
☐ Change work Schedule (circle new schedule below)		
☐ Extension of Temporary Appointment (enter new ending date below)		
☐ Change in Category (Permanent/Temporary circle one)(enter new ending date below)		
☐ Other: _____		
BERNARD NUSSBAUM		
Department: <u>OFFICE OF COUNSEL TO THE PRESIDENT</u>		Requested By: <u><i>[Signature]</i></u>
Position Title: _____		Salary: <u>\$51,000</u>
Proposed Date of Change: <u>IMMEDIATE 10/10/42</u>		Ending Date, (If Applicable) _____
Work Schedule (circle one):		
<u>Full Time</u>	Part Time	Intermittent
APPROVALS		
_____ Assistant to the President		_____ Office of Management and Administration
_____ Date		_____ Date
Upon approval or disapproval, return to: <u>02: CIV 12 130 66</u>		
<u>WILLIAM H. KENNEDY III</u>		<u>ROOM 136, OEOB 6229</u>
Name	Room	Ext.
NOISIAO 12-130-66		



097319

What would be
the best time
to visit?

C O P Y
from ORM
6. August 1962

(Nothing)

THE WHITE HOUSE
WASHINGTON

5.27.94

Gen George:

Thank you for offering to be of assistance in my efforts to further serve the President as Director of the White House military office.

Points to consider:

if asked, Col. Rainer and other White military commanders will advise you that they would be happy to work with me.

I have all the appropriate clearances

I have worked with the military for 14 months

The job, by nature, should have someone with sound political skills — particularly as we approach N.H.



I appreciate your counsel and
consideration.

I would be honored to serve my
President in this new position and I
won't let him down.

Best wishes,

Ching Livingstone



CGE 046223

THE WHITE HOUSE
WASHINGTON

George



The White House
Change in Employee Status
To be completed by requesting office

Section I: Complete all data

Name of Employee LIVINGSTONE, Craig
Last First Middle
 Social Security Number [REDACTED]
 Office/Department/Agency Counsel's Office

Section II: Check the Appropriate Box(es):

- ☐ Reassignment within the White House Office (complete Section III below)
☐ Change in title
☒ Change in salary (complete Section III below)
☐ Change in work schedule (complete Section III below)
☐ Extension of temporary appointment (enter new ending date below)
☐ Change in category (complete Section III below)
☐ Other: _____

11/9
 P4:28

894 PAY ADJ
 2LM 3 USC 105

Section III: Complete all sections as appropriate

New Position Title _____ Requested by: Abner Mikva/Beth No1
 Current Salary 51,000 New Salary: 57,500
 Proposed effective date of change 1/8/95 Ending date: _____
 Work Schedule (circle new schedule) Full Time Part Time Intermittent
 Category (circle new category) Permanent Temporary New ending date _____

Approvals:

[Signature] [Signature]
 Associate Counsel to the President Office of Management & Administration
 Date 1-5-95 Date 1-5-95

Upon approval or disapproval please return to:



Name _____ Room _____ Extension _____

The White House
Change in Employee Status
To be completed by requesting office

Section I: Complete all data

Name of Employee: LIVINGSTONE, David Craig
Last First Middle
 Social Security Number [REDACTED]
 Office/Department/Agency Counsel's Office

Section II: Check the Appropriate Box(es):

- ☐ Reassignment within the White House Office (complete Section III below)
- ☐ Change in title
- ☒ Change in salary (complete Section III below)
- ☐ Change in work schedule (complete Section III below)
- ☐ Extension of temporary appointment (enter new ending date below)
- ☐ Change in category (complete Section III below)
- ☐ Other _____

894 Pay ADS
ELM 3 USC 165

Section III: Complete all sections as appropriate

New Position Title _____ Requested by: Abner Mikva
 Current Salary \$57,500 New Salary \$63,750
 Proposed effective date of change 10/1/95 Ending date: _____

Work Schedule (circle new schedule) Full Time Part Time Intermittent
 Category (circle new category) Permanent Temporary New ending date _____

Approvals:

[Signature] Assistant to the President [Signature] Office of Management & Administration
 Date _____ Date 9-28-95

Upon approval or disapproval please return to:

Name _____ Room _____

95 SEP 30 PM 2:53

CGE 046142

THE WHITE HOUSE
WASHINGTON

Kelli -

James -

I was
aware of
this, but
thanks for keeping
me informed!

I am not sure if you ^{James}

are aware of the attached salary
increase for Craig Livingstone.

The increase was approved by
Judge Mikva. It is my understanding
that it was based on a premise
made when Bernie Nussbaum
was here.

If you have any questions,
give me a call on X6-2014.

Kelli

Please sign & return
to me. Thanks

THE WHITE HOUSE
WASHINGTON

December 14, 1995

SECURITY DETERMINATION

NAME: *LIVINGSTONE David Craig*
DPOB: *05-06-59, Dover, DE*
POSITION: *Director, White House Personnel Security Office*
AGENCY: *General Counsel*

INVESTIGATION

TYPE: *Background Investigation* COMPLETED BY: *FBI*
DATE COMPLETED: *03-16-95* CLEARANCE GRANTED: *12-14-95*

The above named individual has been granted security approval by the Executive Office of the President and is authorized to have access to classified information through **TOP SECRET**. This is granted under the standards of Executive Order 12968.

Charles C. Easley
CHARLES C. EASLEY
EOP SECURITY OFFICER

CERTIFICATION

I certify that I have been briefed on the procedures for handling, storage and transmission of classified information in accordance with Executive Order 12958, and that I have read and completed a non-disclosure agreement Standard Form-312.

20 DEC 1995

(DATE)

David C. Byrd

(SIGNATURE)

DISTRIBUTION:

- 1 - Official Personnel File
- 1 - Security file
- 1 - Office of assignment
- 1 - Individual



CLASSIFIED INFORMATION NONDISCLOSURE AGREEMENT

AN AGREEMENT BETWEEN David Craig Livingstone AND THE UNITED STATES

(Name of Individual - Printed or typed)

1. Intending, to be legally bound, I hereby accept the obligations contained in this Agreement in consideration of my being granted access to classified information. As used in this Agreement, classified information is marked or unmarked classified information, including oral communications, that is classified under the standards of Executive Order 12356, or under any other Executive order or statute that prohibits the unauthorized disclosure of information in the interest of national security; and unclassified information that meets the standards for classification and is in the process of a classification determination as provided in Sections 1.1 and 1.2(e) of Executive Order 12356, or under any other Executive order or statute that requires protection for such information in the interest of national security. I understand and accept that by being granted access to classified information, special confidence and trust shall be placed in me by the United States Government.

2. I hereby acknowledge that I have received a security indoctrination concerning the nature and protection of classified information, including the procedures to be followed in ascertaining whether other persons to whom I contemplate disclosing this information I have been approved for access to it, and that I understand these procedures.

3. I have been advised that the unauthorized disclosure, unauthorized retention, or negligent handling of classified information by me could cause damage or irreparable injury to the United States or could be used to advantage by a foreign nation. I hereby agree that I will never divulge classified information to anyone unless: (a) I have officially verified that the recipient has been properly authorized by the United States Government to receive it; or (b) I have been given prior written notice of authorization from the United States Government Department or Agency (hereinafter Department or Agency) responsible for the classification of the information or last granting me a security clearance that such disclosure is permitted. I understand that if I am uncertain about the classification status of information, I am required to confirm from an authorized official that the information is unclassified before I may disclose it, except to a person as provided in (a) or (b), above. I further understand that I am obligated to comply with laws and regulations that prohibit the unauthorized disclosure of classified information.

4. I have been advised that any breach of this Agreement may result in the termination of any security clearances I hold; removal from any position of special confidence and trust requiring such clearances; or the termination of my employment or other relationships with the Departments or Agencies that granted my security clearance or clearances. In addition, I have been advised that any unauthorized disclosure of classified information by me may constitute a violation, or violations, of United States criminal laws, including the provisions of Sections 641, 793, 794, 798, and 952, Title 18, United States Code, the provisions of Section 783(b), Title 50, United States Code, and the provisions of the Intelligence Identities Protection Act of 1982. I recognize that nothing in this Agreement constitutes a waiver by the United States of the right to prosecute me for any statutory violation.

5. I hereby assign to the United States Government all royalties, remunerations, and emoluments that have resulted, will result or may result from any disclosure, publication, or revelation of classified information not consistent with the terms of this Agreement.

6. I understand that the United States Government may seek any remedy available to it to enforce this Agreement including, but not limited to, application for a court order prohibiting disclosure of information in breach of this Agreement.

7. I understand that all classified information to which I have access or may obtain access by signing this Agreement is now and will remain the property of, or under the control of the United States Government unless and until otherwise determined by an authorized official or final ruling of a court of law. I agree that I shall return all classified materials which have, or may come into my possession or for which I am responsible because of such access: (a) upon demand by an authorized representative of the United States Government; (b) upon the conclusion of my employment or other relationship with the Department or Agency that last granted me a security clearance or that provided me access to classified information; or (c) upon the conclusion of my employment or other relationship that requires access to classified information. If I do not return such materials upon request, I understand that this may be a violation of Section 793, Title 18, United States Code, a United States criminal law.

8. Unless and until I am released in writing by an authorized representative of the United States Government, I understand that all conditions and obligations imposed upon me by this Agreement apply during the time I am granted access to classified information, and at all times thereafter.

9. Each provision of this Agreement is severable. If a court should find any provision of this Agreement to be unenforceable, all other provisions of this Agreement shall remain in full force and effect.

10. These restrictions are consistent with and do not supersede, conflict with or otherwise alter the employee obligations, rights or liabilities created by Executive Order 12356; Section 7211 of Title 5, United States Code (governing disclosure to Congress); Section 1034 of Title 10, United States Code, as amended by the Military Whistleblower Protection Act (governing disclosure to Congress by members of the military); Section 2302 (b) (6) of Title 5, United States Code, as amended by the Whistleblower Protection Act (governing disclosures of illegality, waste, fraud, abuse or public health or safety threats); the Intelligence Identities Protection Act of 1982 (50 U.S.C. 421 et seq.) (governing disclosures that could expose confidential Government agents), and the statutes which protect against disclosure that may compromise the national security, including Sections 641, 793, 794, 798, and 952 of Title 18, United States Code, and Section 4(b) of the Subversive Activities Act of 1950 (50 U.S.C. Section 783(b)). The definitions, requirements, obligations, rights, sanctions and liabilities created by said Executive Order and listed statutes are incorporated into this Agreement and are controlling.

(Continue on reverse.)

NSN 7540-01-280-5499
Previous edition not usable.

313-108

STANDARD FORM 313 (REV. 1-81)
Prescribed by GSA/5010
22 CFR 200, E.O. 12356

11. I have read this Agreement carefully and my questions, if any, have been answered. I acknowledge that the briefing officer has made available to me the Executive Order and statutes referenced in this Agreement and its implementing regulation (32 CFR Section 2003-20) so that I may read them at this time, if I so choose.

SIGNATURE <i>Don C. Rytch</i>	DATE 20 DEC 95	SOCIAL SECURITY NUMBER (See Notice below) [REDACTED]
ORGANIZATION (IF CONTRACTOR, LICENSEE, GRANTEE OR AGENT, PROVIDE NAME, ADDRESS, AND, IF APPLICABLE, FEDERAL SUPPLY CODE NUMBER) (Type or print)		

General Counsel

WITNESS		ACCEPTANCE	
THE EXECUTION OF THIS AGREEMENT WAS WITNESSED BY THE UNDERSIGNED		THE UNDERSIGNED ACCEPTED THIS AGREEMENT ON BEHALF OF THE UNITED STATES GOVERNMENT.	
SIGNATURE <i>Mark E. Frownfelter</i>	DATE 12-20-95	SIGNATURE <i>Charles C. Easley</i>	DATE 12-20-95
NAME AND ADDRESS (Type or print) Mark Frownfelter Room 4018, NEOB 725 17th Street NW Washington, D.C. 20503		NAME AND ADDRESS (Type or print) Charles C. Easley Room 4018, NEOB 725 17th Street NW Washington, DC 20503	

SECURITY DEBRIEFING ACKNOWLEDGEMENT

I reaffirm that the provisions of the espionage laws, other federal criminal laws and executive orders applicable to the safeguarding of classified information have been made available to me; that I have returned all classified information in my custody; that I will not communicate or transmit classified information to any unauthorized person or organization; that I will promptly report to the Federal Bureau of Investigation any attempt by any unauthorized person to solicit classified information; and That I (have) (have not) (strike out inappropriate word or words) received a security debriefing.

SIGNATURE OF EMPLOYEE	DATE
NAME OF WITNESS (Type or print)	SIGNATURE OF WITNESS

NOTICE: The Privacy Act, 5 U.S.C. 552a, requires that federal agencies inform individuals, at the time information is solicited from them, whether the disclosure is mandatory or voluntary, by what authority such information is solicited, and that use will be made of the information. You are hereby advised that authority for soliciting your Social Security Account Number (SSN) is Executive Order 9397. Your SSN will be used to identify you precisely when it is necessary to 1) certify that you have access to that information indicated above or 2) determine that your access to the information indicated has terminated. Although disclosure of your SSN is not mandatory, your failure to do so may impede the processing of such certifications or determinations, or possibly result in the denial of your being granted access to classified information.

*NOT APPLICABLE TO NON-GOVERNMENT PERSONNEL SIGNING THIS AGREEMENT.





EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF ADMINISTRATION
Washington, D.C. 20503

August 24, 1995

MEMORANDUM FOR MARY BECK
DIRECTOR OF PERSONNEL

FROM: NELSON W. CUNNINGHAM
GENERAL COUNSEL

SUBJECT: Requests for Information from Capitol Hill

Attached please find two separate requests from Chairman Clinger's Committee on Government Reform and Oversight, seeking personnel information relating to various White House Office personnel. Also attached are the responses from White House Counsel indicating what information was provided with respect to each individual.

As we have discussed, please redact these documents and place appropriate copies in the personnel folders for each individual.

Although the Privacy Act does not apply to the White House Office, we have concluded that it is prudent practice to leave notice in these individuals' folders, as required by the provisions of the Privacy Act.

Thank you for your help.



May 31, 1995

CARLOS COLLINS, LAGOS
 10000 W. 10TH AVE #104
 HEART & BURNHAM, CALIFORNIA
 TONY LAMPERT, CALIFORNIA
 ROMEO E. WISE, JR., WEST PALM BEACH
 JAMES E. GIBSON, NEW YORK
 EDUARDO TORRES, NEW YORK
 JOHN W. SMITH, JR., NEW YORK
 LOUISIANA UNIVERSITY, NEW YORK
 JAMES E. WILSON, NEW YORK
 GARY A. COOPER, CALIFORNIA
 GARY W. & PETERSON, CALIFORNIA
 LARRY L. BURNHAM, FLORIDA
 CHARLES E. SMITH, JR., NEW YORK
 WILLIAM R. SMITH, WASHINGTON
 JOHN LAMPERT, NEW YORK
 SAMUELSON COLLINS, MICHIGAN
 COLLINS & COLLINS, MICHIGAN
 JAMES P. MORAN, VIRGINIA
 GARY COOPER, TEXAS
 GARY P. WISE, FLORIDA
 JAMES E. WILSON, CALIFORNIA
 FRANK BAILEY, TEXAS
 FRANK BAILEY, TEXAS

BERNARD LANDAUER, VETERAN
POL/MAJOR

ALBERTA-000 25-444
LIBERTY-000 25-444

Dear Judge Mikva:

Pursuant to our investigation into the White House Travel Office matter we request copies of any and all SF 50s, any and all financial disclosure statements, and any conflict of interest documents for the following individuals who work or who have worked at the White House since January 1993:

Craig Livingstone

In addition, please provide all SF 50s, any and all financial disclosure statements and any conflict of interest documents for all of the employees of the White House Counsel's office since January 20, 1993. Copies of these items are requested by Wednesday, June 7, 1995. Thank you for your assistance.

Sincerely,

William F. Clinger, Jr.
Chairman

cc: Cardiss Collins



ODF

THE WHITE HOUSE
WASHINGTON

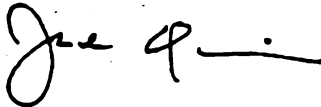
June 19, 1996

MEMORANDUM TO FILE

FROM: JACK QUINN
COUNSEL TO THE PRESIDENT

SUBJECT: ADMINISTRATIVE LEAVE REQUEST

On Monday, June 17, 1996, Craig Livingstone, Director of the White House Personnel Security Office, requested my permission to be placed on paid administrative leave. In light of recent events, I approved that request, effective immediately. I informed Mr. Livingstone that he will remain on paid administrative leave until such time as the matter at issue has been resolved to the satisfaction of the Chief of Staff.



cc: Jodie Torkelson
Assistant to the President for Management and Administration


CGE 046139

Section I: Complete all data

Name of Employee:	Livingstone	David	Craig
	Last	First	Middle
Social Security Number:	[REDACTED]		
Office/Department/Agency:	General Counsel		

Section II: Check the Appropriate Box(es):

- ☐ Reassignment within the White House Office (complete Section III below)
- ☐ Change in title
- ☐ Change in salary (complete Section III below)
- ☒ Change in work schedule (complete Section III below)
- ☐ Extension of temporary appointment (enter new ending date below)
- ☐ Change in category (complete Section III below)
- ☐ Other: _____

Section III: Complete all sections as appropriate

New Position Title: _____ Requested by: Jack Quinn

Current Salary: _____ New Salary: _____

Proposed effective date of change: June 18, 1996 Ending date: _____

Work Schedule (circle new schedule) Full Time Part Time Intermittent Administrative Leave

Category (circle new category) Permanent Temporary New ending date _____

Approved:

Assistant to the President

Don't

Office of Management & Administration

De

Upon approval or disapproval please return to:

Name _____

Room

W. H. C. W.

4444

Extension

Product 200

CGE 046137

The White House Separation Action

Name of Employee: LIVINGSTON, David Craig
Last First Middle

Social Security Number: [REDACTED]

Office/Department/Agency: White House/Counsel's Office

Check the Appropriate Action:

☒ Resignation (state reason below)

☐ Transfer to another government agency (indicate agency)

☐ Retirement

Effective Date: 6/26/96

Signature of Departing Employee: _____

Forwarding Address: _____

Telephone Number: _____

Reason for Resignation: Resigned

35 JUN 28 1996 3 55

OFFICE OF THE
MANAGEMENT
AND BUDGET
OPPORTUNITY
DIVISION

Application for Federal Employment—SF 171

Read the instructions before you complete this application. Type or print clearly in dark ink.

GENERAL INFORMATION

1 What kind of job are you applying for? Give title and announcement no. (if any)
(H- 157-92, (SM))
Criminal Investigator, GS-1811-12

2 Social Security Number **452-66-3920**

3 Sex ☒ Male ☐ Female

4 Birth date (Month, Day, Year): **06-08-42**

5 Birthplace (City and State or Country)
Headville, PA 16335

6 Name (Last, First, Middle)
Marceca, Anthony Burton
Mailing address (include apartment number, if any)
522 Camelot Court
City **Odenron,** State **MD** ZIP Code **21113**

7 Other names ever used (e.g. maiden name, nickname, etc.)

8 Home Phone Area Code Number **410 674-5126**

9 Work Phone Area Code Number Extension **410 677-3928**

10 Were you ever employed as a civilian by the Federal Government? If "NO," go to Item 11. If "YES," mark each type of job you held with an "X"
☐ Temporary ☐ Career Conditional ☒ Career ☐ Excepted
What is your highest grade, classification series and job title?
GS-1811-12, Criminal Investigator
Dates at highest grade FROM **Jan 88** to Present

FOR USE OF EXAMINING OFFICE ONLY

Date entered register **16 APR 1992** Form renewed Form approved

Option	Grade	Earned Rating	Veteran Preference	Augmented Rating
			☐ No Preference Claimed	
			☐ 5 Points (Temporary)	
			☐ 10 Pts. (30% or more Compensatory Disability)	
			☐ 10 Pts. (Less than 30% Comp. Dis.)	
			☐ Other (10 Points)	

Initials and Date

☐ Discontinued ☐ Being investigated

FOR USE OF APPOINTING OFFICE ONLY

Preference has been verified through proof that the separation was under honorable conditions and other proof as required

☐ 5 Points ☐ 10 Points (30% or more Compensatory Disability) ☐ 10 Points (Less than 30% Compensatory Disability) ☐ 10 Points Other

Signature and Title _____ Date _____

Agency _____

AVAILABILITY

11 When can you start work? (Month and Year)
Feb 1992

12 What is the lowest pay you will accept? (You will not be considered for jobs which pay less than you indicate.)
Pay \$ _____ per OR Grade **GS-12**

13 In what geographic area(s) are you willing to work?
Washington, D.C.

14 Are you willing to work
YES NO
A 40 hours per week (full time)? **X**
B 25-32 hours per week (part time)? **X**
C 17-24 hours per week (part time)? **X**
D 16 or fewer hours per week (part time)? **X**
E An intermittent job (on-call/seasonal)? **X**
F Weekends shifts or rotating shifts? **X**

15 Are you willing to take a temporary job lasting
A 5 to 12 months (sometimes longer)? **X**
B 1 to 4 months? **X**
C Less than 1 month? **X**

16 Are you willing to travel away from home for
A 1 to 5 nights each month? **X**
B 6 to 10 nights each month? **X**
C 11 or more nights each month? **X**

MILITARY SERVICE AND VETERAN PREFERENCE

17 Have you served in the United States Military Service? If your only active duty was training in the Reserves or National Guard, answer "NO." If "NO," go to item 22
YES NO **X**

18 Did you or will you retire at or above the rank of major or lieutenant

MILITARY SERVICE AND VETERAN PREFERENCE (Cont.)

19 Were you discharged from the military service under honorable conditions? (If your discharge was changed to "honorable" or "general" by a Discharge Review Board, answer "YES." If you received a temporary discharge, answer "NO.")
If "NO," provide below the date and type of discharge you received

Discharge Date (Month, Day, Year) **09/27/65** Type of Discharge **Honorable**

20 List the dates (Month, Day, Year) and branch for all active duty military service:
From To Branch of Service
09/27/61 09/27/65 USAF
12/15/78 Present USAR

21 If all your active military duty was after October 14, 1976, list the full names and dates of all campaign, badge or expeditionary medals you received or were entitled to receive.

22 Read the instructions that came with this form before completing this item. When you have determined your eligibility for veteran preference from the instructions, place an "X" in the box next to your veteran preference claim.

☐ NO PREFERENCE

☐ 5 POINT PREFERENCE You must show proof when you are hired.

☐ 10 POINT PREFERENCE If you claim 10 point preference, place an "X" in the box below next to the basis for your claim. To receive 10-point preference you must also complete a Standard Form 25, Application for 10-Point Veteran Preference, which is available from any Federal Job Information Center. ATTACH THE COMPLETED SF 15 AND REQUESTED PROOF TO THIS APPLICATION.

☒ Non compensatory disability or Purple Heart recipient

☐ Compensatory disability less than 30 percent

☐ Spouse, widow or child of a deceased or disabled veteran

WORK EXPERIENCE If you have no work experience, write **NONE** in A below. Go to 25 on page 2.

23 May we ask your present employer about your character, qualifications, and work record? A "NO" will not affect our review of your qualifications. If you answer "NO" and we need to contact your present employer before we can offer you a job, we will contact you first. YES: NO
X

24 READ WORK EXPERIENCE IN THE INSTRUCTIONS BEFORE YOU BEGIN

- Describe your current or most recent job in Block A and work backwards, describing each job you had during the past 10 years. If you were unemployed for longer than 3 months within the past 10 years, list the dates and your address(es) in an experience block.
- You may turn up in one block work that you did more than 10 years ago. But if that work is related to the type of job you are applying for, describe each related job in a separate block.
- INCLUDE VOLUNTEER WORK (non-paid work)-If the work (or a part of the work) is like the job you are applying for, complete all parts of the experience block just as you would for a paying job. You may receive credit for work experience with religious, community, welfare, service, and other organizations.

- INCLUDE MILITARY SERVICE-You should complete all parts of the experience block just as you would for a non-military job, including all supervisory experience. Describe each major change of duties or responsibilities in a separate experience block.
- IF YOU NEED MORE SPACE TO DESCRIBE A JOB-Use sheets of paper the same size as this page (be sure to include all information we ask for in A and B below). On each sheet show your name, Social Security Number, and the announcement number or job title.
- IF YOU NEED MORE EXPERIENCE BLOCKS, use the SF 171-A or a sheet of paper.
- IF YOU NEED TO UPDATE (ADD MORE RECENT JOBS), use the SF 172 or a sheet of paper as described above.

A Name and address of employer's organization (include ZIP Code, if known)		Dates employed (give month, day and year)	Average number of hours per week	Number of employees you supervise
Washington Fraud Team, Eastern Area Field Office, USACIDC, Building 2812 Fort George G. Meade, MD 20755-5325		From: 4 Jan 88 to Present	50	1 to 4
Your immediate supervisor Name: James Robinson, SAC		Salary or earnings Starting \$39,571 per Year Ending \$51,279 per Year	Your reason for leaving Career Advancement	

Area Code	Telephone No.	Exact title of your job	Federal employment (civilian or military) list series, grade or rank, and, if promoted in this job, the date of your last promotion
410	677-3928	Special Agent	GS-1811-12

Description of work: Describe your specific duties, responsibilities and accomplishments in this job, including the job title(s) of any employees you supervise. If you describe more than one type of work (for example, carpentry and painting, or personnel and budget), write the approximate percentage of time you spent doing each.

-As a Special Agent for the United States Army Criminal Investigation Command, assigned to the Washington Fraud Team, I conduct complex criminal investigations involving fraud in the US Army procurement operations. Violations investigated include false billings, product substitution, mail fraud, conspiracy and other fraud offenses. Investigations involve a variety of program areas ranging from acquisition of computer, weapons systems, constructing projects and environment violations.

-Established and coordinated investigations with other federal and state enforcement agencies.

-Established and maintained liaison with federal, state and local law enforcement agencies and with the business community dealing with Department of Defense contracting.

-I write detailed, complex Reports of Investigation, give oral and written briefings to high ranking military, civilians and Assistant United States Attorneys during the conduct of investigations.

(additional information on the attached Continuation sheet)

For Agency Use (skill codes, etc.)

B Name and address of employer's organization (include ZIP Code, if known)		Dates employed (give month, day and year)	Average number of hours per week	Number of employees you supervise
Pennsylvania Auditor General Bureau of Investigations 322 Finance Building Harrisburg, PA 17070		From: 1 May 85 to 4 Jan 88	40	0
Your immediate supervisor Name: Nick Ficco, SAC		Salary or earnings Starting \$23,500 per Year Ending \$25,500 per Year	Your reason for leaving Career Advancement	

Area Code	Telephone No.	Exact title of your job	Federal employment (civilian or military) list series, grade or rank, and, if promoted in this job, the date of your last promotion
904	746-7516	Special Agent	

Description of work: Describe your specific duties, responsibilities and accomplishments in this job, including the job title(s) of any employees you supervise. If you describe more than one type of work (for example, carpentry and painting, or personnel and budget), write the approximate percentage of time you spent doing each.

-As a Special Agent with the Pennsylvania State Bureau of Investigation in the Auditor General's office, I conducted complex multi-million dollar fraud cases involving forgery, theft of state/federal monies, tax fraud, computer fraud, violations of state environmental laws and contract fraud. I routinely followed audit trails, conducted surveillance, interviewed witnesses, reconstructed and recovered records, analyzed and collected evidence. Constructed criminal histories on known underworld figures and coordinated intelligence information with various law enforcement agencies.

-I wrote concise reports of investigation in a logical and orderly fashion, prepared accompanying case exhibits and evidence for criminal prosecution. I presented the completed cases to state and federal agencies in written and oral reports.

-When required, I assisted in the preparation for trial and testified in court, and in preparing witnesses.

-As the lead agent in a \$31 million dollar contract fraud, I identify

For Agency Use (skill codes, etc.)

[A] Washington Fraud Team, Eastern Area (Fld Ofc)

-As a senior investigator, I have conducted independent investigations at USACIDC, which have resulted in indictments, convictions, recovery of money and cost avoidance in millions of dollars along with the suspension and debarment of government contractors.

-In the last 18 months I am directly responsible for the following: the recovery of \$202,262.00, plus fines; four indictments; two convictions; \$4,776,303.00 in cost avoidance when the claims were withdrawn; suspension and debarment of four 4 Corporation and 7 individuals. At this time, additional dollar recoveries, indictments and convictions are pending in two Federal District Courts.

-As task force leader, routinely develop plans and strategies for the investigation of complex, highly sophisticated procurement related frauds. Utilize and analyzes cost accounting and test procedures of various auditing and testing agencies.

-As the designated source control officer, direct the recruiting and utilization of confidential informants/sources for routine and proactive gathering of actual and potential criminal activity.

-Prepared and executed search warrants, DOD-IG and Grand Jury subpoenas, conduct routine surveillance and sting operations which have resulted in convictions and recoveries.

-Presented Fraud awareness briefing to AMC and USACE activities. Represent USACIDC at conferences and intergovernmental functions.

-Maintain current knowledge of the regulations and laws with frequent consultations with Assistant U.S. Attorneys and Procurement Fraud Advisors.

-During the Detail to the U.S. Senate, Special Committee on Investigation, I identified, the on going theft of millions of dollars of natural resources by one of the largest U.S. Petroleum Corporations.

-Through the use of Technical Listening Devices, I obtained taped conversations of persons in the act of a bribery/conspiracy scheme. Conducted investigation of various other on going government procurement frauds. Routinely briefed U.S. Senators on the status and findings of the cases and presented investigative findings at United States Senate hearings.

-I have strong business/management skills, from previous experience in owning my own Oil/Gas drilling/production business. Additionally, my police experience and previous employment with local and state investigative agencies has enabled me to communicate effectively with corporate officers, attorneys, witnesses and subjects, here at Washington Fraud Team an the U.S. Senate. I am astute and comfortable in dealing with all levels, from blue collar to the professional level. Over the years, I have developed a strong work ethic, part of which I incorporate EEO opportunities. My associates are aware of my commitment to a fair and comfortable work environment and I reflect this in my personal conduct, appearance and philosophy at work and in the community.

-On 13 Aug 1991, received a Spot Cash award from the U.S. Army Corps of Engineers.

-On 8 Sept 1991, "Sustained Performance", for outstanding investigative achievements in the last year.

SUPPLEMENTAL EXPERIENCE STATEMENT: Anthony B. Marceca, 452-66-3920

I have served as a Senior Agent at the Washington Fraud Team, from the inception of the civilian investigator program in 1988, which was designed to support fraud investigation in the major buying commands of the U.S. Army. The positions required the agent to possess broad based, indepth knowledge of white collar criminal investigations. I have been successful in obtaining prosecutions by heavily depending upon the experience I brought to this position.

As a Senior Agent, I have proceeded independently with the investigations, presented the facts in an articulate manner to the respective Assistant United States Attorney, and the cases were accepted for prosecution, both by the Criminal and Civil Division of the Department of Justice. The success I have achieved has been accomplished by supervising and directing the investigative activity of fellow CID agents and agents from other Federal Agencies, when acting as the lead agent.

When working cases with other agents, my philosophy of hard work, attention to detail and a professional appearance at all times, have contributed to a large part, to what has resulted in successful prosecutions, convictions, recovery and cost avoidance for the U.S. Government. Reflecting an air of professionalism at all times, I believe, creates the element which manifests itself in a high level of cooperation from attorneys, agents, subjects and witnesses. Utilizing my previous background management training and experience, has enabled me to energize other agents to pursue basic tasks, which are the cornerstones of successful investigations. Investigations at times require indepth searches for individual assets, through property records and title search, stock and corporation ownership verifications, researching active and closed files, preparing/obtaining, Inspector General/Grand Jury subpoenas and search warrants. Inherent to this is, the ability to apply the applicable federal statutes and regulations to the criminal activity and then developing the facts to support the elements of the criminal offenses.

I have investigated various contract frauds involving labor mischarging, reporting false or inflated overhead, false claims, computer fraud, reporting false truck weights, product substitution, Davis Bacon violations, conspiracy, conflict of interest and covering up hazardous air monitors in an environmental case. I have prepared detailed case briefs for presentation to the Criminal and Civil Division of the Department of Justice, Defense Procurement Fraud Unit and Procurement Fraud Division. I have worked joint investigations with Defense Criminal Investigative Service, U.S. Environmental Protection Agency, Maryland State Police, Virginia Attorney General's Office and other federal and state agencies. I have supervised and participated in the gathering, preservation and evaluation of evidence. I have testified in Court, before Federal Grand Juries and before U.S. Senate Hearings, presenting the facts in a clear, logical and impartial manner.

I have served as the temporary Special Agent-in-Charge during 1989 to 1991, at the Washington Fraud Team, Fort Meade, MD. I have acted as the liaison person with U.S. Environmental Protection Agency and various civilian police agencies. I have continued to keep open avenues of communication with contacts at various Federal/State Agencies, all of which have aided in obtaining the successful case history I now enjoy at USACIDC.

Standard Form 171-A—Continuation Sheet for SF 171

• Attach all SF 171-A's to your application at the top of page 3.

Name (Last, First, Middle Initial) Marceca, Anthony B.		2 Social Security Number 457-44-1970
3 Title or Announcement Number You Are Applying For GS-1811-13 (H-096-92) Criminal Investigator		4 Date Completed 128 Jan 92

5 Name and address of employer's organization (include ZIP Code, if known) Presidential Advance Work (listed separately.)		6 Dates employed (give month, day and year) From 10 NOV 83 to 1 May 85	7 Average number of hours per week 40	8 Number of employees you supervised 1 to 16
9 Salary or earnings Starting \$ 80.00 per day Ending \$ 100.00 per day		10 Your reason for leaving Career Advancement		
11 Your immediate supervisor Name Political Advance person	12 Area Code Telephone No. Area Code Telephone No.	13 Federal employment (civilian or military), title, grade or rank, and, if promoted in this job, the date of your last promotion		

Description of work. Describe your specific duties, responsibilities and accomplishments in this job, including the job title(s) of any employees you supervised. If you describe more than one type of work (for example, carpentry and painting, or personnel and budget), write the approximate percentage of time you spent doing each.

DATES	ORGANIZATION	SUPERVISOR	PHONE
10 Nov 83 to 7 Feb 84	John Glenn for President Committee SH-503, Hart Building, Wash. DC	Dave VAN-NOTE (603) 556-7071	
7 Feb 84 to 15 Jul 84	Hart for President SR-304, Russell Building, Wash. DC	Carla RHEAME (202) 387-7858	
15 Jul 84 to 10 Nov 84	Democratic National Committee South Capital St. Wash. DC	Nick FRIENDLY (202) 2-4-0206	
10 Nov 84 to 1 Apr 85	Penn & Schoen Associates 245 East 92nd St. NY, NY	Mark PENN	
1 Apr 85 to 1 May 85	National Strategies 1919 Pennsylvania Ave. Wash. DC	Nick FRIENDLY (202) 2-4-0206	

(Additional information on the attached Continuation Sheet)

For Agency Use (skill codes, etc.)

14 Name and address of employer's organization (include ZIP Code, if known) Texas Attorney General's Office Supreme Court Building Austin, Texas		15 Dates employed (give month, day and year) From 1 Aug 83 to 10 Nov 83	16 Average number of hours per week 40	17 Number of employees you supervised 0
18 Salary or earnings Starting \$ 18,000 per Yr Ending \$ 18,000 per Yr		19 Your reason for leaving Career Advancement		
20 Your immediate supervisor Name James Mattox, AG	21 Area Code Telephone No. 412 563-2100	22 Exact title of your job Investigator		

Description of work. Describe your specific duties, responsibilities and accomplishments in this job, including the job title(s) of any employees you supervised. If you describe more than one type of work (for example, carpentry and painting, or personnel and budget), write the approximate percentage of time you spent doing each.

-I was assigned to the Medicaid Fraud Control Unit, and conducted criminal investigations relating to Medicaid Fraud in the State of Texas....

-Investigations involved the diversion of federal monies thru false billing and claims by doctors and health clinics, mistreatment of patients in nursing homes and hospitals, unjustified medical procedures, abuse of patient rights in home care setting.

-As an investigator, I was required to investigate private complaints, compile the facts and file the case, complete and ready for prosecution. The Attorney General's Legal Bureau then proceeded to prosecute or settle the case, at the county level or thru the state courts court process. Cases which involved interstate fraud were referred federal agencies.

Continuation Sheet for Presidential Advance: Anthony B. Marceca, 452-66-3920

[C]

-The positions required the ability to adapt an idea or theme into a newsworthy event, and supervise other advance staff and administer the budgeting of the events.

-Integral in this position is the knowledge of working with various inter-governmental agencies and personnel, ie., Secret Service, State and Local Police, Fire Departments, etc, as required.

-Inherent understanding of the instructions of the Director of Scheduling, and adapting and implementing of the details the assigned mission without deviation.

-Prepare motorcade routes and schedules and liaison with local organizations, briefing the subject and over seeing the schedule precisely, to capitalize on the media attention.

-A requirement of advance work was to accept spontaneous travel, amiable working relationships with various political and governmental personnel, selecting appropriate sites for media events, that were safe for the candidate and public attending.

-When assigned to the advance team, it was required to be familiar with all phases of protective services and to plan in detail all movements. The Lead Advance person maintains daily contact with the candidate and the top staff, with the responsibility of maintaining a close working relationship and good communications with all involved in the mission.

Standard Form 171-A- Continuation Sheet for SF 171

• Attach all SF 171-A's to your application at the top of page 3.

1 Name (Last, First, Middle Initial) Marceca, Anthony B.	2 Social Security Number 452-66-3920
3 Job Title or Announcement Number You Are Applying For	4 Date Completed

ADDITIONAL WORK EXPERIENCE BLOCKS

F Name and address of employer's organization (include ZIP Code if known) Venture Oil Company Box 453 Meadville, PA 16335	Dates employed (give month, day and year)		Average number of hours per week	Number of employees you supervised
	From: Sep 74 To: Mar 79		40	5-8
	Salary or earnings		Your reason for leaving	
	Starting \$ per Ending \$ per		Sold the Business.	
Your immediate supervisor Name Business Partners		Area Code 814	Telephone No. 337-4222	Exact title of your job Business Manager
Description of work. Describe your specific duties, responsibilities and accomplishments in this job, including the job title(s) of any employees you supervised. If you describe more than one type of work (for example, carpentry and painting, or personnel and budget), write the approximate percentage of time you spent doing each.				

-Venture Oil Company was an oil drilling and production business, created in 1974 by Anthony Marceca, Frank Marceca and Ronald Brown, of Ron Brown Drilling Company. The capital assets were raised from private capital. The capital was used to purchase the drilling equipment and leases. The company began operation with newly acquired oil leases and was a "wildcat" operation, drilling on previously unexplored geological areas.

-As the business manager, I was responsible for acquiring leases, legal filing, deed searches, execution of leases, hiring employees, maintaining company records, budgeting the overhead and drilling operation costs.

-When production began and the drilling operation ended, I employed strong cost cutting methods in management, which were needed, to continue to operate at a profit with falling crude oil prices at the time.

-The company was sold at a profit in 1979 to an independent Oil Company.

-My Oil and Gas background and experience was the major contributing factor, the U.S. Senate, Special Committee on Investigations, which were investigating the Federal Administered Mineral Resources, requested my detail to the U.S. Senate on 14 April 1988.

ATTACH ANY ADDITIONAL FORMS AND SHEETS HERE

25 Did you graduate from high school? If you have a GED high school equivalency or will graduate within the next nine months, answer "YES".

YES ☒ If "YES" give month and year graduated or received GED equivalency June 1961
 NO ☐ If "NO" give the highest grade you completed

26 Write the name and location (city and state) of the last high school you attended or where you obtained your GED high school equivalency.

St. Agatha, High School, Meadville, PA 16335

27 Have you ever attended college or graduate school? YES ☐ If "YES" continue with 28.
 NO ☒ If "NO" go to 31

28 NAME AND LOCATION (city, state and ZIP Code) OF COLLEGE OR UNIVERSITY If you expect to graduate within nine months, give the month and year you expect to receive your degree.

Name	City	State	ZIP Code	From	To	Semester	Quarter	Month and Year of Degree	Month and Year of Degree
1) University of Pittsburgh	Pittsburgh	PA	15202	07/67	8/70	120		BA	8/70
2)									
3)									

29 CHIEF UNDERGRADUATE SUBJECTS Show major on the first line

Subject	Number of Credit Hours Completed
1) Political Science	60
2) Russian History	20
3) American History & English	40

30 CHIEF GRADUATE SUBJECTS Show major on the first line

Subject	Number of Credit Hours Completed
1)	
2)	
3)	

31 If you have completed any other courses or training related to the kind of jobs you are applying for (trade, vocational, Armed Forces, business) give information below.

NAME AND LOCATION (city, state and ZIP Code) OF SCHOOL	MONTH AND YEAR ATTENDED	CLASS ROOM HOURS	SUBJECT(S)	TRAINING COMPLETED YES/NO
School Name 1) Mercyhurst College City Erie State PA ZIP Code 16500	11/75	476	120	
			Basic Police Training Act 120, Police Training X School. Required by Pennsylvania Law.	
School Name 2) MP/CID Basic Criminal Investigation City Ft. McClellan, State AL	6/82	7/82	80	
			Basic CID Agent School	X

SPECIAL SKILLS, ACCOMPLISHMENTS AND AWARDS

32 Give the title and year of any honors, awards or fellowships you have received. List your special qualifications, skills or accomplishments that may help you get a job. Some examples are: skills with computers or other machines; most important publications (do not submit copies); public speaking and writing experience; membership in professional or scientific societies; patents or inventions, etc.

-On 17 May 1989, I received a letter of commendation from Ken Ballen, Chief Counsel, U.S. Senate, Special Committee on Investigations, through John O. Marsh, Jr., Secretary of Army.

-On 1 Aug 1991, I received a letter of commendation from Richard D. Bennett, United States Attorney, Baltimore District, through Major General Peter T. Berry, Commander of USACIDC

33 How many words per minute can you type? TAKE DICTATION? _____

Agencies may test your skills before hiring you.

34 List job-related licenses or certificates that you have, such as: registered nurse, lawyer, radio operator, driver's, pilot's, etc.

LICENSE OR CERTIFICATE	DATE OF LATEST LICENSE OR CERTIFICATE	STATE OR OTHER LICENSING AGENCY
1) Pennsylvania Drivers License	6/8/92	
2)		

35 Do you speak or read a language other than English (include sign language)? Applicants for jobs that require a language other than English may be given an interview conducted solely in that language.

LANGUAGE(S)	CAN PREPARE AND GIVE LECTURES		CAN SPEAK AND UNDERSTAND		CAN TRANSLATE ARTICLES		CAN READ ARTICLES	
	Fluently	With Difficulty	Fluently	Passably	Into English	From English	Easily	With Difficulty
1) French		X		X	X	X		X
2)								

REFERENCES

36 List three people who are not related to you and are not supervisors you listed under 24 who know your qualifications and fitness for the kind of job for which you are applying. At least one should know you well on a personal basis.

FULL NAME OF REFERENCE	TELEPHONE NUMBER(S) (include Area Code)	PRESENT BUSINESS OR HOME ADDRESS (number, street and city)	STATE	ZIP CODE
1) Albin Pearson	(814) 382-7556	R.D.#1, Harmonsburg,	PA	16330
2) Dan Barber	(814) 476-1404	Main Street, McCain,	PA	16426
Harv Daino	(703) 978-2058	1632 Tenth St.,	VA	22036

CONTINUATION SHEET: Anthony B. Marceca, 452-66-3920

[31] SCHOOLS AND TRAINING

NAME OF SCHOOL	DATES	HOURS	SUBJECTS	COMPLETED
-CID Bomb School 430th MP Det. 3938 Old French Road, Erie, PA 16504	12/80	16	Identifying and handling known explosives and detonating devices.	Certificate
-U.S. Army, Advanced Fraud School Ft. McClellan, AL	12/1/88 to 9/2/88	120	USACIDC Advanced Fraud, Investigation.	Diploma
-U.S. Army Corps of Engineers, Construction Contract Management School	6/88	80	USACE Contracting regulations and procedures.	Certificate
-Federal Law Enforcement Training Academy Brunswick, GA	1/90 to 2/90	40	Investigations in the Electronic Environment	Diploma
-Dept of the Army, First Army, Fort George Meade, MD	18/8/90	16	Terrorism, Counteraction Instructor Training Course	Certificate

[32] SPECIAL ACCOMPLISHMENT LETTERS

-On 13 Aug 1991, I received a Spot Cash award from the U.S. Army Corps of Engineers.
 -On 8 Sept 1991, I received a "Sustained Performance", for outstanding investigative achievements in the last year.
 -On 1 Aug 1991, I received a letter of commendation from Richard D. Bennett, United States Attorney, Baltimore District, through Major General Peter T. Berry.

(copy of letters are attached)

[32] SPECIAL SKILLS

-Top Secret Clearance, Special Background Investigation, updated 1989.

[32] MEMBERSHIP

-Past member of Meadville, Pa Sunrise KAWANIS Club.
 -Charter Member of Judge F. Joseph Thomas, Fraternal Order of Police, Lodge 108, Cambridge Springs, PA

CONTINUATION SHEET: Anthony B. Marceca, 452-66-3920

[32] COLLEGE INSTRUCTOR

-Fall 1981 and Spring 1982, College Instructor at:

University of Pittsburgh, Evening Division Titusville Campus, Titusville, PA	Classes in Criminal Justice and Basic Police Training.
Clarion State, Main Campus Clarion, Pa.	Classes in Criminal Justice and Basic Police Training.
Penn State University, Evening Division Punxsutawney Campus Punxsutawney, PA	Classes in Criminal Justice and Basic Police Training.

[32] UNITED STATES ARMY RESERVE MEMBER

-Active Member of USAR 430th MP CID DET 3837 W. 20th Street Erie, PA 16505	SSG/E-6 Credentialed Agent	15 years Reserves
---	-------------------------------	-------------------

BACKGROUND INFORMATION—You must answer each question in this section before we can process your application.

- 37 Are you a citizen of the United States? (In most cases you must be a U.S. citizen to be hired. You will be required to submit proof of identity and citizenship at the time you are hired.) If "NO", give the country or countries you are a citizen of.

YES ☐ NO ☒

NOTE: It is important that you give complete and truthful answers to questions 38 through 44. If you answer "YES" to any of them, provide your explanation(s) in Item 45. Include convictions resulting from a plea of *nolo contendere* (no contest). Omit: 1) traffic fines of \$100.00 or less; 2) any violation of law committed before your 18th birthday; 3) any violation of law committed before your 18th birthday, if finally decided in juvenile court or under a Youth Offender law; 4) any conviction set aside under the Federal Youth Corrections Act or similar State law; 5) any conviction whose record was expunged under Federal or State law. We will consider the date, facts, and circumstances of each exception listed. In most cases you can still be considered for Federal jobs. However, if you fail to tell the truth or fail to list all relevant events or circumstances, this may be grounds for not hiring you, for firing you after you begin work, or for criminal prosecution (18 USC 1001).

- 38 During the last 10 years, were you fired from any job for any reason, did you quit after being told that you would be fired, or did you leave by mutual agreement because of specific problems?
- 39 Have you ever been convicted of, or forfeited collateral for any felony violation? (Generally, a felony is defined as any violation of law punishable by imprisonment of longer than one year, except for violations called misdemeanors under State law which are punishable by imprisonment of two years or less.)
- 40 Have you ever been convicted of, or forfeited collateral for any firearms or explosives violation?
- 41 Are you now under charges for any violation of law?
- 42 During the last 10 years have you forfeited collateral, been convicted, been imprisoned, been on probation, or been on parole? Do not include violations reported in 39, 40, or 41 above.
- 43 Have you ever been convicted by a military court-martial? If no military service, answer "NO".
- 44 Are you delinquent on any Federal debt? (Include delinquencies arising from Federal taxes, loans, overpayment of benefits, and other debts to the U.S. Government plus defaults on Federally guaranteed or insured loans such as student and home mortgage loans.)
- 45 If "YES" in: 38 - Explain for each job the problem(s) and your reason(s) for leaving. Give the employer's name and address.
39 through 43 - Explain each violation. Give place of occurrence and name/address of police or court involved.
44 - Explain the type, length and amount of the delinquency or default, and steps you are taking to correct errors or repay the debt. Give any identification number associated with the debt and the address of the Federal agency involved.

YES ☐ NO ☒

YES ☐ NO ☒

YES ☐ NO ☒

YES ☐ NO ☒

YES ☐ NO ☒

YES ☐ NO ☒

YES ☐ NO ☒

YES ☐ NO ☒

NOTE: If you need more space, use a sheet of paper, and include the item number.

Item No.	Date (Mo./Yr.)	Explanation	Mailing Address
			Name of Employer, Police, Court, or Federal Agency
			City State ZIP Code
			Name of Employer, Police, Court, or Federal Agency
			City State ZIP Code

- 16 Do you receive, or have you ever applied for retirement pay, pension, or other pay based on military, Federal civilian, or District of Columbia Government service?
- 17 Do any of your relatives work for the United States Government or the United States Armed Forces? Include: father, mother, husband, wife, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, and half sister.

YES ☐ NO ☒

YES ☐ NO ☒

If "YES", provide details below. If you need more space, use a sheet of paper.

Name	Relationship	Department, Agency or Branch of Armed Forces
Nathan A. Marceca	Son	U.S. House of Representatives U.S. Capitol, Wash., DC

SIGNATURE, CERTIFICATION, AND RELEASE OF INFORMATION

YOU MUST SIGN THIS APPLICATION. Read the following carefully before you sign.

- A false statement on any part of your application may be grounds for not hiring you or for firing you after you begin work. Also, you may be punished by fine or imprisonment (18 USC, title 18, section 1001).
- If you are a male born after December 31, 1959 you must be registered with the Selective Service System or have a valid exemption from such liability for Federal employment. You will be required to certify as to your status at the time of appointment.
- I understand that any information I give may be investigated as allowed by law or Presidential order.
- I consent to the release of information about my ability and fitness for Federal employment by employers, schools, law enforcement agencies, and other individuals and organizations. This includes personal, staffing, specialists, and other authorized employees of the Federal Government.
- I certify that to the best of my knowledge and belief all of my statements are true, correct, complete, and made in good faith.

OBJCIN

- 18 SIGNATURE (Sign each application in dark ink)

19 DATE

REQUEST FOR PERSONNEL ACTION

PART A—Requesting Office (Also complete Part B, Items 1, 7-22, 32, 33, 36 and 39)	
1. Action Requested	2. Request Number
3. For Additional Information Call (Name and Telephone Number)	4. Proposed Effective Date
5. Action Requested By (Typed Name, Title, Signature, and Request Date)	6. Action Authorized By (Typed Name, Title, Signature, and Concurrence Date)

PART B—For Preparation of SF 50 (Use only codes in FPM Supplement 292.1. Show all dates in month-day-year order)			
1. Name (Last, First, Middle) MARCECA, ANTHONY	2. Social Security Number 452-66-3920	3. Date of Birth 06-08-42	4. Effective Date 10-03-93
First Action		Second Action	
5-A. Code 818	5-B. Nature of Action AUO	5-A. Code	5-B. Nature of Action
5-C. Code Rmm	5-D. Legal Authority Reg 550.151	5-C. Code	5-D. Legal Authority
5-E. Code	5-F. Legal Authority	5-E. Code	5-F. Legal Authority
7. FROM: Position Title and Number Criminal Investigator 92226		15. TO: Position Title and Number Special Assignment	
8. Pay Plan GS 1844	9. Occ. Code 12	10. Grade or Level 05	11. Step or Rate 2570
12. Salary PA		16. Pay Plan	17. Occ. Code
14. Name and Location of Position's Organization Washington DC White House Staff		18. Grade or Level	19. Step or Rate
20. Salary/Amount 0070		21. Pay Rate	
22. Name and Location of Position's Organization Washington DC White House Staff			

Employee Data			
23. Veterans Preference 3 1—None 3—10 Pt. Debt 5—10 Pt. Other 2—5 Pt. 4—10 Pt. Comp 6—10 Pt./30% Comp	24. Tenure 1—None 2—Conditional 3—Permanent 4—Indefinite	25. Agency Use	26. Veterans Preference for PAF ☒ YES ☐ NO
27. FEGLI C	28. Annuitant Indicator 9 1—Assault Inv. CS 3—RETM 5—RETM & CS 2—RETO 4—RETO & CS 6—Not Applicable	29. Pay Rate Determinant D	
30. Retirement Plan K	31. Service Comp. Date (Leave) 01-03-84	32. Work Schedule F 1—Intermittent 2—FT Seasonal 3—FT Seasonal 4—FT On Call 5—FT On Call	33. Part-Time Hours Per Biweekly Pay Period

Position Data			
34. Position Occupied 1—Employment Service 3—SES Career 2—Employment Service 4—SES Career Reserved	35. FLSA Category E—Exempt N—Nonexempt	36. Appropriation Code	37. Bargaining Unit Status
38. Duty Station Code			
39. Duty Station (City—County—State or Overseas Location)			

40. Agency Data	41	42	43	44	45	46	47	48	49	50	51
45. Educational Level	46. Year Degree Awarded	47. Academic Discipline	48. Functional Class	49. Citizenship 1—USA 8—Other	50. Vietnam Era Vet Y—Yes N—No	51. Supervisory Status					

PART C—Reviews and Approval (Not to be used by requesting office.)			
1. Office/Function	Initials/Signature	Date	Office/Function
A ESB		10-05-93	D
B			E
C			F
2. Approval: I certify that the information entered on this form is accurate and true.		Signature	Approval Date

Standard Form 57-B
Rev. 4/78
U.S. Office of Personnel Management
PM Chapter 206

REQUEST FOR PERSONNEL ACTION

CPCN 88888212

20 AUG 1993 ESB GW

PART A—Requesting Office (Also complete Part B, Items 1, 7-22, 32, 33, 35 and 39.)									
1. Action Requested DETAIL NTE 100 Days 13 August 1993									
2. Request Number ISA-015									
3. For Additional Information Call (Name and Telephone Number) MICHAEL D. COLTON, (703) 756-1371									
4. Proposed Effective Date 18 AUG 93									
5. Action Requested By (Typed Name, Title, Signature, and Request Date) MICHAEL D. COLTON Chief, Investigative Support Division					6. Action Authorized By (Typed Name, Title, Signature, and Concurrence Date) CARL L. LOCKETT Colonel, MP Commander, Investigative Services Activity				
PART B—for Preparation of SF 50 (Use only codes in FPM Supplement 292-1. Show all dates in month/day/year order.)									
1. Name (Last, First, Middle) MARCBACA, Anthony B.									
2. Social Security Number 452-66-3920									
3. Date of Birth 06-08-42									
4. Effective Date 08-18-93									
First Action					Second Action				
5-A. Code 946					5-B. Nature of Action Detail NTE 01-18-94				
5-C. Code VLM					5-D. Legal Authority 5 USC 3341				
5-E. Code					5-F. Legal Authority				
7. FROM: Position Title and Number CRIMINAL INVESTIGATOR 92226 EDATE: 110193, W4VKAA 003Q/02 ORGCD: 18GP00J									
15. TO: Position Title and Number SPECIAL ASSIGNMENT									
8. Pay Plan GS									
9. Grade or Level 1811									
10. Grade or Level 12									
11. Step or Rate									
12. Salary									
13. Pay Rate									
14. Pay Plan									
15. Grade or Level									
16. Step or Rate									
17. Pay Rate									
18. Pay Rate									
19. Pay Rate									
20. Pay Rate									
21. Pay Rate									
22. Name and Location of Position / Organization U.S. Army Criminal Investigation Command Investigative Services Activity Washington Metro Fraud Field Office Major Procurement Fraud Unit-East									
23. Name and Location of Position / Organization WASHINGTON DC WHITE HOUSE STAFF									
Employee Data									
24. Tenure 0—None 1—Permanent 2—Conditional 3—Indefinite									
25. Agency Use									
26. Veterans Preference for Ref YES NO									
27. FEGLI C									
28. Retirement Plan K									
29. Service Comp Date (Leave) 01-03-84									
30. Work Schedule F									
31. Work Schedule 1—Intermittent 2—Full-time 3—Part-time 4—Seasonal 5—FT Seasonal 6—FT On Call 7—PT On Call									
32. Part-Time Hours Per Biweekly Pay Period									
Position Data									
33. FLSA Category 1—Exempt 2—Nonexempt									
34. Appropriation Code AMS: 951520.00000 APC: F7EA									
35. Bargaining Unit Status									
36. Duty Station (City—County—State or Overseas Location) Fort Meade, MD Anne Arundel									
37. Duty Station Code 24-0575-003									
38. Agency Code 40									
39. Agency Code 41									
40. Agency Code 42									
41. Agency Code 43									
42. Agency Code 44									
43. Educational Level 45									
44. Year Degree Awarded 46									
45. Academic Discipline 47									
46. Functional Class 48									
47. Citizenship 49									
48. Vietnam Era Vet 50									
49. Supervisory Status 51									
PART C—Reviews and Approval (Not to be used by requesting office)									
1. Office/Function									
Initials/Signature									
Date									
Office/Function									
Initials/Signature									
Date									
2. Approval: I certify that the information entered on this form is accurate and that the									

CIVILIAN PERFORMANCE RATING For use of this form, see AR 690-400, Chapter 430, the proponent agency = DCSPER					
PART I - ADMINISTRATIVE DATA					
1. NAME (Last, First, MI) AND SSN MARCECA, ANTHONY B. 452-66-3920			2. NAME AND LOCATION OF EMPLOYING OFFICE U.S. Army Criminal Investigation Command Procurement Fraud Team - Meade 1st Region USACIDC Ft. Meade, Maryland 20755-5325		
3. POSITION TITLE AND NUMBER, PAY PLAN, SERIES AND GRADE/LEVEL Criminal Investigator, GS 1811-12					
4. PERIOD COVERED FROM: 4 Jan 88 TO: 4 Jan 89		5. UNDER SUPERVISION OF CURRENT SUPERVISOR FROM: 4 Jan 88		6. TYPE OF RATING ☒ ANNUAL ☐ SPECIAL ☐ PROBATIONARY	
7. IF PROBATIONARY, INDICATE RECOMMENDED ACTION ☐ RETAIN ☐ REMOVE FROM POSITION (SF 52 attached)					
PART II - PERFORMANCE EVALUATION					
8. a	CE b	RATING c	9. a	CE b	RATING c
1. Plans, Organizes, Conducts Complex Investigations	Y	M	5. Liaison and Professionalism	N	M
2. Effective Case Management	Y	M			
3. Written Communications	Y	M			
4. Oral Communications	Y	M			
10. ELEMENT RATING EXPLANATION PART V COMMENTS This performance rating is based upon several factors: 1. The probationary performance rating for Mr. Marceca was unacceptable. 2. SA Marceca has been on detail to the U.S. Senate Special Committee on Investigations, Select Committee on Indian Affairs, since 9/28/88. Mr. Marceca has been under the same performance standards, however, the actual work he is performing for the Senate is NOT the same as he performed for USACIDC. In accordance with OFM regulations, Mr. Marceca was being considered for discharge from the Federal Service for his failure to meet his performance standards during his probationary period. However, he was selected by the Senate for the detail and thus the Deputy Commander of USACIDC related to the undersigned reviewing official that it would be an embarrassment to USACIDC to discharge Mr. Marceca at a time when the Senate had selected Mr. Marceca; therefore we would not initiate the discharge action. Mr. Marceca has received an exceptional rating from the Senate Committee. Since he could not be discharged, a fully successful rating is necessary.					

PART II - PERFORMANCE EVALUATION (Continued)

9. ELEMENT RATING EXPLANATION (Continued)

PART III - INDIVIDUAL DEVELOPMENT PLAN

10.

PART IV - SENIOR EXECUTIVE SERVICE (SES) ONLY

11. RECOMMENDING OFFICIAL	RECOMMENDATIONS				12. RATING OFFICIAL APPROVAL	
	RATING a	SALARY b		PERFORMANCE AWARD (BONUS) c		SALARY ADJUSTMENT d
		YES	NO	YES	NO	
SUPERVISOR						ES- _____ _____ %
REVIEWING OFFICIAL (Optional)						
PERFORMANCE REVIEW BOARD						

Note: SES members may respond in writing to their initial ratings. They also may request higher executive level review either before ratings are submitted to the Performance Review Board or after final rating is assigned, but not both. See AR 690-900, chapter 920, Subchapter 5.

PART V - COMMENTS

13.

See Block 9 on front.

PART VI - SUMMARY RATING LEVEL

14.

☐ EXCEPTIONAL☐ HIGHLY
SUCCESSFUL☒ FULLY
SUCCESSFUL☐ MINIMALLY ACCEPTABLE/
SATISFACTORY☐ UNACCEPTABLE/
UNSATISFACTORY

PART VII - AUTHENTICATION

15a. SUPERVISOR NAME AND TITLE RICHARD LEAF, SPECIAL AGENT IN CHARGE	b. SIGNATURE <i>Richard D. Leaf</i>	c. DATE March 13, 1989
16a. REVIEWING OFFICIAL (Optional) NAME AND TITLE DAVID ALLEN, PROGRAM MANAGER	b. SIGNATURE <i>David Allen</i>	c. DATE March 13, 1989
17a. PRB REPRESENTATIVE NAME AND TITLE	b. SIGNATURE	c. DATE
18a. APPROVING/SES RATING OFFICIAL NAME AND TITLE HAROLD H. KEVORKIAN, LTC, MP, DCO	b. SIGNATURE <i>Harold H. Kevorkian</i>	c. DATE 24 Apr '89
19a. EMPLOYEE NAME ANTHONY D. MADDOX	b. SIGNATURE <i>Anthony D. Maddox</i>	c. DATE March 21, 1989

ANCP-HPM

MEMORANDUM FOR THE RECORD

SUBJECT: Civilian Performance Rating for Anthony Marceca

1. Rating for rating period 4 January 1988 to 4 September 1988 was completed while the employee was serving a probationary period. Per Mr. Marceca, he informally grieved this rating and the informal decision was to remove the rating from official records.
2. Rating for rating period 4 January 1988 to 4 January 1989 was forwarded to the Civilian Personnel Office as a correction to the probationary rating. However, the employee was detailed to Senate beginning September 1988.
3. Rating for rating period 4 January 1988 to 16 June 1989 should have reflected the period covered as September 1988 to 16 June 1989.

Terry Johnston
Management-Employee
and Labor Relations Branch

CIVILIAN PERFORMANCE RATING For use of this form see AR 690-400 Chapter 43D; the proponent agency is DCSPER					
PART I - ADMINISTRATIVE DATA					
1. NAME (Last, First, MI) AND SSN MARCECA, ANTHONY B. 452-66-3920			2. NAME AND LOCATION OF EMPLOYING OFFICE Procurement Fraud Team 1st Region, USACIDC Ft. Meade, MD 20755-5325		
3. POSITION TITLE AND NUMBER, PAY PLAN, SERIES AND GRADE/LEVEL Criminal Investigator, GS 1811-12					
4. PERIOD COVERED FROM: 4 Jan 88 TO: 16 Jun 89		5. UNDER SUPERVISION OF CURRENT SUPERVISOR FROM: 27 Sep 88		6. TYPE OF RATING ☒ ANNUAL ☐ SPECIAL ☐ PROBATIONARY	
7. IF PROBATIONARY, INDICATE RECOMMENDED ACTION ☐ RETAIN ☐ REMOVE FROM POSITION (SF 52 attached)					
PART II - PERFORMANCE EVALUATION					
8. JOB ELEMENT a		CE b	RATING c	5. Liaison & Professionalism CE b: Y, RATING c: E	
1. Plans, organizes, and conducts complex investigations.		Y	E		
2. Effective Case Management		Y	E		
3. Written Communication		Y	E		
4. Oral Communications		Y	E		
9. ELEMENT RATING EXPLANATION					
1. Special Agent Marceca plans, organizes and conducts complex and comprehensive investigations of federal statutes, regulations, United States Federal Code, Code of Federal Regulations, state statutes and regulations as the laws apply to each case. He has demonstrated ability above the GS-12 journeyman level in investigations, which are well planned, organized and innovative. Special Agent Marceca conducts investigations with minimal supervision and retains in-depth knowledge of the applicable laws, regulations and elements of each case.					
2. Special Agent Marceca reviews and researches applicable statutes, regulations and procedures. He develops courses of action and techniques which help identify complex criminal and related problems before beginning a case. he recommends initiation of various investigations with the concurrence of the Chief Counsel of the Special Committee. Special Agent Marceca's investigative time is spent on cases that have produced results. Special Agent Marceca has developed a number of applicable cases during this evaluation period which are expected to result in legislative action. When necessary, he has coordinated investigative efforts with other authorities, investigators, and agencies. Special Agent Marceca has been requested to work on highly confidential matters because of his attention to detail and integrity. He has shown superior ability and knowledge of current technology in assignments.					
3. Special Agent Marceca prepares accurate, thorough and comprehensive reports, which are clear and concise, requiring little or no changes or revisions. He establishes and maintains accurate records of professional quality which are consistent with the Special Committee's standards. Special Agent Marceca requires little supervision in the area of administrative matters and prepares his reports in a timely manner.					
4. Special Agent Marceca presents briefings which are concise, organized and well thought out. He displays tact and persuasive ability in obtaining information and cooperation from persons contacted during the course of investigations. Special Agent Marceca's testimony and oral presentations to the Chief and Associate Counsels are well prepared.					

DA FORM 5398, DEC 86

DA FORM 5398-R, MAY 86 MAY BE USED

 COPY: ☐ EMPLOYEE ☐ SUPERVISOR ☒ OFFICER RECORD ☐ OTHER

PART II - PERFORMANCE EVALUATION (Continued)

B. ELEMENT RATING EXPLANATION (Continued)

4. CONT.

factual and articulate. His in-depth knowledge and previous experience in the investigative field has made him an asset to the Special Committee's investigative staff.

5. Special Agent Marceca's liaison with other agencies has facilitated us in the exchange of information that has benefitted the Special Committee's investigative efforts. He maintains a high standard of professional conduct in personal and professional interaction with members of the Special Committee.

PART III - INDIVIDUAL DEVELOPMENT PLAN

10.

PART IV - SENIOR EXECUTIVE SERVICE (SES) ONLY

11. RECOMMENDING OFFICIAL	RECOMMENDATIONS				12. RATING OFFICIAL APPROVAL	
	RATING a	SALARY b		PERFORMANCE AWARD (BONUS) c		SALARY ADJUSTMENT d
		YES	NO	YES	NO	
SUPERVISOR						
REVIEWING OFFICIAL (Optional)						
PERFORMANCE REVIEW BOARD						

Note: SES members may respond in writing to their initial ratings. They also may request higher executive level review either before ratings are submitted to the Performance Review Board or after final rating is assigned, but not both. See AR 690-900, chapter 920, Subchapter 5.

PART V - COMMENTS

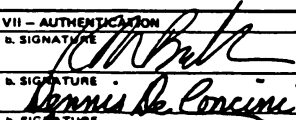
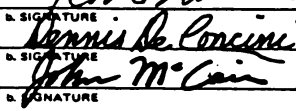
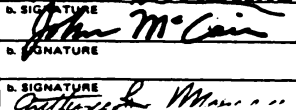
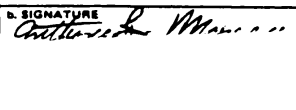
13. Overall, Special Agent Marceca's performance was excellent. He is a dedicated, conscientious and hardworking agent.

This appraisal is being prepared in accordance with MDW-Installation Supplement #1, to AR 690-400, Chapter 430.

PART VI - SUMMARY RATING LEVEL

14. ☒ EXCEPTIONAL ☐ HIGHLY SUCCESSFUL ☐ FULLY SUCCESSFUL ☐ MINIMALLY ACCEPTABLE/
SATISFACTORY ☐ UNACCEPTABLE/
UNSATISFACTORY

PART VII - AUTHENTICATION

15a. SUPERVISOR NAME AND TITLE KENNETH M. BALLEEN, CHIEF COUNSEL	b. SIGNATURE 	c. DATE 7-21-89
16a. REVIEWING OFFICIAL (Optional) NAME AND TITLE DENNIS DeCONCINI, CHAIRMAN, U.S. SENATOR	b. SIGNATURE 	c. DATE 7-19-89
17a. PRS REPRESENTATIVE NAME AND TITLE JOHN MCCAIN, CO-CHAIRMAN, U.S. SENATOR	b. SIGNATURE 	c. DATE 7-20-89
18a. APPROVING/SES RATING OFFICIAL NAME AND TITLE	b. SIGNATURE	c. DATE
19a. EMPLOYEE NAME ANTHONY B. MARCECA	b. SIGNATURE 	c. DATE

STAFF OF THE SENATE COMMITTEES

SPECIAL AGING 251

SPECIAL COMMITTEE ON INVESTIGATIONS

Sen. Dennis DeConcini (D AZ), Chairman
 Sen. John McCain (R AZ), Co-Chairman
 Sen. Thomas A. Daschle (D SD), Member

STAFF 901 SHOB, Washington DC 20510 Direct Dial 224-3701

Ballen, Kenneth M.	Chief Counsel	Momot, Kathryn A.	Office Manager and Chief Clerk
Rowe, James H., III	General Counsel	Norman, Charles	Chief Accountant
Soller, Mary Lou	Senior Investigative Counsel	Marcoca, Anthony B.	Investigator
Sollers, Joseph S.	Special Counsel	Semuel, Percy M.	Asst. to the General Counsel
Anderson, Michael J.	Associate Counsel	Fleck, Mary Ellen	Staff Asst.
Brandolino, John M.	Associate Counsel	Marcoca, Nathan A.	Staff Asst.
Klingenstein, Andrew D.	Associate Counsel	Pollock, Steven A.	Staff Asst.
Mickum, George Brent	Associate Counsel	Lively, Kathleen	Presidential Management Intern
DeMar, Gretchen E.	Junior Counsel	Hooker, Little M.	Secy.
Celley, Scott K.	Press Secy.	Lambka, Carolyn	Secy.
Hirsch, Sam	Press Secy.	Scott, Sharon	Secy.

SELECT COMMITTEE ON INTELLIGENCE

(Created by S. Res. 400, 94th Congress)

Sen. David L. Boren (D OK), Chairman
 Sen. William S. Cohen (R ME), Vice Chairman

MAJORITY (8 D.): Sen. David L. Boren (D OK); Sen. Sam Nunn (D GA); Sen. Ernest F. Hollings (D SC); Sen. Bill Bradley (D NJ); Sen. Alan Cranston (D CA); Sen. Dennis DeConcini (D AZ); Sen. Howard M. Metzenbaum (D OH) and Sen. John Glenn (D OH).

MINORITY (7 R.): Sen. William S. Cohen (R ME); Sen. Orrin G. Hatch (R UT); Sen. Frank H. Murkowski (R AK); Sen. Arlen Specter (R PA); Sen. John W. Warner (R VA); Sen. Alfonse M. D'Amato (R NY) and Sen. John C. Danforth (R MO).

(The Majority Leader and Minority Leader are *ex officio* members of the committee.)

STAFF 211 SHOB, Washington DC 20510-6475 Direct Dial 224-1700

Tenet, George J.	Staff Director	Lydon, Karen
Dykstra, James H.	Minority Staff Director	Martin, James
Holliday, David	Special Asst. to the Chairman	McNaughton, Jeanne
Hall, Keith R.	Budget Director	Miller, Steve
Snider, L. Britt	General Counsel	Montoya, Gerry
Howes, Dwight	Associate Counsel	Morgan, Robert
McGhee, Kathleen	Chief Clerk	Nahrgang, Rosemarie
Battaglia, Charles		Nelson, John
Cator, Gorry		Ott, Marvin
Currie, James		Piermarini, Joan
Despres, John		Sojka, Gary
Elliff, John T.		Straub, Christopher
Genton, Regina		Sturtevant, Mary
Hastey, Lisa		Sullivan, Tawanda
Hodgson, Judith		Thomas, Blythe J.
Joyal, Paul		Van Cook, James
Kettlewell, Larry		Walters, Michele
King, Charlene		Ward, Alfred
Lee, Eric		Wolfe, James
Lowine, Edward P.		Wood, Sheryl

(The Select Committee on Intelligence has no subcommittees.)

SPECIAL COMMITTEE ON AGING

(Created by S. Res. 33, 87th Congress, amended by S. Res. 4, 95th Congress)

To consist of 19 Senators: (2) For purposes of paragraphs 4 and 5 of rule XXV of the Standing Rules of the Senate, and for purposes of sections 133 (g), 134, and 202 of the Legislative Reorganization Act of 1946, the special committee shall be treated as a permanent committee of the Senate. (b) (1) It shall be the duty of the special committee to conduct a continuing study of any and all matters pertaining to problems and opportunities of older people, including, but not limited to, problems and opportunities of maintaining health, of assuring adequate income, of finding employment, of engaging in productive and rewarding activity, of securing proper housing, and when necessary, of obtaining care or assistance. No proposed legislation shall be referred to such committee, and such committee shall not have power to report by bill, or otherwise have legislative jurisdiction. (2) The special committee shall, from time to time (but not less often than once each year), report to the Senate the results of the study conducted pursuant to paragraph (1), together with such recommendation as it considers appropriate."

Sen. David H. Pryor (D AR), Chairman

0155

CERTIFICATE OF CLEARANCE AND/OR SECURITY DETERMINATION For use of this form, see AR 604-3, AR 604-10, AR 601-270, and AR 690-1; the proponent agency is Office of Assistant Chief of Staff for Intelligence.			
PART I - BASIC INFORMATION			
FROM: (Originating Headquarters) (Include ZIP Code) USA CENTRAL PERSONNEL SECURITY CLEARANCE FACILITY (CCF) FORT GEORGE G. MEADE, MARYLAND 20755-5250			DOSSIER NUMBER not used
LAST NAME - FIRST NAME - MIDDLE NAME MARCECA ANTHONY BURTON		MILITARY OR CIVILIAN GRADE LOD CIV AND INACT RESERVE	SOCIAL SECURITY ACCOUNT NUMBER 452-66-3920
DATE OF BIRTH (Day, Month, Year) 03 JUN 42	PLACE OF BIRTH (City, County, State, Country) PENNSYLVANIA USA	CIVILIAN JOB TITLE (If any) not used	
PART II - SECURITY CLEARANCE			
DATE INVESTIGATION COM- PLETED (Day, Month, Year) 21 NOV 94	TYPE OF INVESTIGATION CONDUCTED PERIODIC REINVESTIGATION OF SEI	AGENCY OR COMMAND WHICH CONDUCTED INVESTIGATION not used	
HIGHEST CLASSIFICATION OF INFORMATION TO WHICH ACCESS IS AUTHORIZED (Type Secret, Secret, Confidential) ***** ***TOP SECRET*** *****		DATE INTERIM CLEARANCE GRANTED (Day, Month, Year)	DATE FINAL CLEARANCE GRANTED (Day, Month, Year) 04 APR 95
PART III - REMARKS			
THIS CERTIFICATE SUPERSEDES ALL PREVIOUSLY ISSUED CLEARANCE CERTIFICATE. DESTROY ALL PREVIOUS COPIES. THIS TOP SECRET CLEARANCE BECOMES INVALID 5 YEARS FROM DATE OF INVESTIGATION, AND IS ADMINISTRATIVELY DOWNGRADED TO SECRET ON THAT DATE UNLESS A PR HAS BEEN SUBMITTED TO DIS.			
FRP CONSIDERED			
COMMANDER COMMANDER USAC IDC, INVESTIGATIVE SERVICE ACT, ATTN: CISA-OP 5611 COLUMBIA PIKE FALLS CHURCH, VA 22041-5015			
PART IV - PREPARING OFFICIAL			
ORGANIZATION USA CCF - (804A)	PLACE FORT MEADE, MD 20755-5250	DATE 04 APR 95	
TYPED NAME, GRADE AND SOCIAL SECURITY ACCOUNT NUMBER DENNIS A. BASSETT, COL, 376-40-2973		SIGNATURE /S/ DENNIS A. BASSETT, COL	
DISTRIBUTION ☒ Military Personnel Records Jacket (DA Form 201) or Civilian Official Personnel Folder ☐ Official Military Personnel Folder ☐ U.S. Army Investigative Records Repository ☐ Other (Specify)			

CIVILIAN PERFORMANCE RATING					
For use of this form, see AR 690 400, Chapter 430, the proponent agency is DCSPER					
PART I - ADMINISTRATIVE DATA					
1. NAME (Last, First, MI) AND SSN MARCECA, ANTHONY B. 452-66-3920			2. NAME AND LOCATION OF EMPLOYING OFFICE Washington Metro Fraud Field Office MPFU-E, ISA, USACIDC Fort Meade, MD 20755-5325		
3. POSITION TITLE AND NUMBER, PAY PLAN, SERIES AND GRADE/LEVEL Criminal Investigator, GS-1811-12					
4. PERIOD COVERED FROM: 1 Jul 92 TO: 30 Jun 93	5. UNDER SUPERVISION OF CURRENT SUPERVISOR FROM 3 Jun 91	6. TYPE OF RATING ☒ ANNUAL ☐ SPECIAL ☐ PROBATIONARY		7. IF PROBATIONARY, INDICATE RECOMMENDED ACTION ☐ RETAIN ☐ REMOVE FROM POSITION (SF 62 attached)	
PART II - PERFORMANCE EVALUATION					
8. JOB ELEMENT a	CE b	RATING c	JOB ELEMENT d	CE e	RATING f
1. Plans, organizes, and conducts complex investigations	Y	E	5. Corps of Engineers case control	Y	E
2. Effective case management	Y	E	6. Liaison & professionalism	N	E
3. Written communication	Y	E			
4. Oral communication	Y	E			
9. ELEMENT RATING EXPLANATION 1. SA Marceca has displayed the highest degree of technical proficiency in the planning, organizing, and conduct of his assigned investigations. His expertise in interview and interrogation techniques, have enabled him to obtain pertinent information from witnesses and subjects, which would not ordinarily be obtained. Through his diligence and attention to detail, Mr. Marceca has been responsible for the successful recovery of \$94,750 through DOJ civil process on a case previously resolved criminally, and the cost avoidance of \$100,987, through a withdrawn claim, on another case. Additionally, he has intensely pursued a criminal case which has the interest of two U.S. Senate committees, the Department of Defense, and the Department of the Army. Due to his superior knowledge of the U.S. criminal code, the Federal Acquisition Regulation, and other applicable procurement policies, SA Marceca has been able to focus his investigative activities on those alleged criminal activities which have the best potential for prosecutive merit and monetary recoveries.					
2. SA Marceca's case files are consistently up to date and complete. Even though one case has been designated the most important CID fraud case, he had been able to pursue leads on his other assigned cases. His dedication in this effort is beyond reproach and has exceeded actions of his peers. He appraises his supervisor on a daily basis of problem areas that may arise in his cases.					
3. SA Marceca's written reports, be they administrative or investigative, are always above reproach. In addition to his case load, SA MARCECA is also responsible for the Source Program of this office. His attention to details, timely reporting of ongoing investigations, and other required written reports, has saved his supervisor many oversight manhours.					
4. SA Marceca has presented many oral briefings to his supervisors, supported commanders, Assistant U.S. Attorneys, Congressional staff members, a U.S. Senator, and others. His oral presentations have always been presented in a clear, concise, thorough, and most of all, a professional manner. Through his oral presentations, SA Marceca has been able to clarify aspects of his investigations, which have been confusing to those not skilled in the task of investigating such complex fraud investigations or knowledgeable of the					

9. RELEVANT RATING EXPLANATION (Continued)
procurement process.

5. SA Marceca is the focal point for all U.S. Army Corps of Engineer cases in this office. SA Marceca has continually provided advice, education, and solutions to USACE procurement problems by identifying potentials for fraud, waste and abuse. He has received accolades for his exceptional professionalism in his dealings with USACE personnel.

6. SA Marceca has continued to maintain an exceptional professional relationship with the DOD; Department of Justice; other federal Inspector General's offices; state; and local law enforcement agencies. He routinely displays his excellent ability to interact with the personnel of these various organizations, which has been his strongest asset. Mr. Marceca's liaison activities have been a contributing factor to the excellent relationship between this office and the other agencies. SA MARCECA is a team player and is always willing to assist other Agents of this and other CID offices, always in a most tactful manner. His judgement in all matters is unquestionable.

PART III - INDIVIDUAL DEVELOPMENT PLAN

10.

Attendance at the following courses:

1. Seminar for New Managers (OPM)
2. Advanced Fraud Financial Training Program (FLETC)

PART IV - SENIOR EXECUTIVE SERVICE (SES) ONLY

11. RECOMMENDING OFFICIAL	RECOMMENDATIONS				12. RATING OFFICIAL APPROVAL	
	RATING a	SALARY b		PERFORMANCE AWARD (BONUS) c	SALARY ADJUSTMENT d	PERFORMANCE AWARD (BONUS) e
		YES	NO	YES	NO	
SUPERVISOR						
REVIEWING OFFICIAL (Optional)						
PERFORMANCE REVIEW BOARD					ES- _____	_____ %

Note: SES members may respond in writing to their initial ratings. They also may request higher executive level review either before ratings are submitted to the Performance Review Board or after final rating is assigned, but not both. See AR 690-900, chapter 920, Subchapter 5.

PART V - COMMENTS

13.

PART VI - SUMMARY RATING LEVEL

14. ☒ EXCEPTIONAL ☐ HIGHLY SUCCESSFUL ☐ FULLY SUCCESSFUL ☐ MINIMALLY ACCEPTABLE/ SATISFACTORY ☐ UNACCEPTABLE/ UNSATISFACTORY

PART VII - AUTHENTICATION

15a. SUPERVISOR NAME AND TITLE JAMES T. ROBINSON, GM13, SAC, WMFFO	b. SIGNATURE <i>James T. Robinson</i>	c. DATE 22 July 1993
16a. REVIEWING OFFICIAL (Optional) NAME AND TITLE	b. SIGNATURE	c. DATE
17a. PRB REPRESENTATIVE NAME AND TITLE	b. SIGNATURE	c. DATE
18a. APPROVING/SES RATING OFFICIAL NAME AND TITLE DAVID C. ALLEN, GM14, DIR, HPFU-E	b. SIGNATURE <i>David C. Allen</i>	c. DATE 22 July 1993
19a. EMPLOYEE NAME ANTHONY B. MARCECA	b. SIGNATURE <i>Anthony B. Marceca</i>	c. DATE 22 July 1993

SENIOR SYSTEM CIVILIAN EVALUATION RE: JRT							
For use of this form, see AR 690-400; the proponent agency is ODCSPER							
PART I - ADMINISTRATIVE DATA							
a. NAME (Last, First, Middle Initial) MARCECA, ANTHONY B.		b. SSN 452-66-3920		c. POSITION TITLE, PAY PLAN, SERIES AND GRADE Criminal Investigator, GS-1811-13			
d. ORGANIZATION Washington Metro Fraud Field Office				e. REASON FOR SUBMISSION ☒ ANNUAL ☐ SPECIAL ☐ INTERN			
f. PERIOD COVERED (YYMMDD) FROM 930701 THRU 940531		g. RATED MOS. 11		h. RATEE COPY (Check one and date) ☒ GIVEN TO RATEE 5 Aug 94 ☐ FORWARDED TO RATEE			
PART II - AUTHENTICATION							
a. NAME OF RATER (Last, First, Middle Initial) ROBINSON, James T.		SIGNATURE <i>James T. Robinson</i>		DATE 26 July 1994			
GRADE/RANK, ORGANIZATION, DUTY ASSIGNMENT GS-13, MPFU-E, ISA, USACIDC, Special Agent-in-Charge							
b. NAME OF INTERMEDIATE RATER (Last, First, Middle Initial)		SIGNATURE		DATE			
GRADE/RANK, ORGANIZATION, DUTY ASSIGNMENT							
c. NAME OF SENIOR RATER (Last, First, Middle Initial) ALLEN, David C.		SIGNATURE <i>David C. Allen</i>		DATE 26 July 1994			
GRADE/RANK, ORGANIZATION, DUTY ASSIGNMENT GM-14, MPFU-E, ISA, USACIDC, Director							
d. RATEE: I understand my signature does not constitute agreement or disagreement with the evaluations of the Rater and Senior Rater, and merely verifies Part I and Part IV data.		SIGNATURE OF RATEE <i>Anthony B. Marceca</i>		DATE 26 July 94			
PART III - PERFORMANCE AWARD/QUALITY STEP INCREASE							
a. SES - AWARD, BONUS/ SALARY INCREASE		RECOMMENDATIONS				b. ST, SL, GM, GS, WS - PERFORMANCE AWARD/GSI	
		RATING	SALARY		PERFORMANCE AWARD - BONUS		PERFORMANCE AWARD
		(1)	(2)		(3)		PERCENT OF SALARY
RECOMMENDING OFFICIALS			YES	NO	YES	NO	AMOUNT
RATER							QSI (GS with Successful Level 1 Rating Only)
INTERMEDIATE RATER							TO (Grade/Step):
PERFORMANCE REVIEW BOARD							AWARD APPROVED BY
SENIOR RATER		ES					DATE (YYMMDD)
							FUND CITE
PART IV - DUTY DESCRIPTION (Rater)							
DAILY DUTIES AND SCOPE (To include as appropriate: people, equipment, facilities, and dollars). Position Description (DA Form 374) is correct: ☐ YES ☐ NO							
As the Fraud Office Senior Special Agent, is responsible for assisting the Special Agent-in-Charge in the planning, coordinating, and conducting of highly complex and sensitive criminal investigations involving major procurement fraud against the US Army. Oversees and assists in the training of junior Special Agents. While on special detail, served as the Assistant Director of White House Security, responsible for reviewing and evaluating Full Field Background investigations of White House Staff. Also prepared correspondence for the Director of Security, to White House Staff, Cabinet and Secretaries on related sensitive security matters.							
PART V - VALUES (Rater)							
V A L U E S ARMY ETHIC Loyalty Duty Selfless Service Integrity		PERSONAL Commitment Competence Candor Courage					
		BULLET COMMENTS					
		• Loyalty and untiring efforts for mission accomplishment are exemplary. • Always willing to accept challenges against overwhelming odds. • Extremely honest in all matters.					

PERIOD COVERED (YYMMDD) 930701 - 940531	RATEE'S NAME MARCECA, ANTHONY B.	SSN 452-66-3920
---	--	---------------------------

PART VI - PERFORMANCE EVALUATION (Rater)

a. PERFORMANCE DURING THIS RATING PERIOD
 Comparison of individual objectives against accomplishments and DA-established performance standards resulted in the following objectives ratings

☒ Excellence Over 50% Obj	☐ Excellence 25-50% Obj	☐ Success All or Excellence 1-24% Obj	☐ Needs Improvement 1 or More Obj	☐ Fails 1 or More Obj
---	--	--	--	--

Includes Excellence in Org Mgt/Leadership OR EEO/AA
 Obj for supv/mgr: ☐ Yes ☒ No

b. BULLET EXAMPLES

- Developed evidence on major procurement fraud case which resulted in its acceptance for prosecution by AUSA.
- Obtained a Search Warrant and coordinated the search of contractor facility, and assisted in the processing of the evidence obtained.
- Developed Registered Sources which resulted in the development of significant criminal information in four major cases.
- Assisted in the development of a training program for newly hired agents, which greatly enhanced the new agents investigative abilities.
- Was directly responsible for a \$82,500 civil settlement on a MTHC fraud case.
- Maintained exceptional liaison with other investigative agencies which greatly enhanced the unit's mission accomplishments.
- Prepared daily briefing papers on issues affecting White House Security which are now part of the White House Archives.
- Directed the access clearances of 2500 VIP's/Diplomats/Guests for admittance to the Signing of the Mid-East Peace Treaty.
- Eliminated a six month backlog of Full Field Background Investigations and completed re-investigations of permanent White House staff.

PART VII - INTERMEDIATE RATER (Optional)

BULLET COMMENTS

PART VIII - SENIOR RATER

a. OVERALL PERFORMANCE RATING <table style="width: 100%;"> <tr> <td style="text-align: center;"> ☒ 2 ☐ 3 ☐ 4 ☐ 5 </td> <td style="vertical-align: middle; padding: 0 10px;"> } SUCCESSFUL FAIR UNSUCCESSFUL </td> </tr> </table> A completed DA Form 7222-1 was received with this report and considered in my evaluation and review: ☒ YES ☐ NO (Explain NO in Part VIII b)	☒ 2 ☐ 3 ☐ 4 ☐ 5	} SUCCESSFUL FAIR UNSUCCESSFUL	SR PROFILE <table style="width: 100%;"> <tr><td style="text-align: center;">7</td></tr> <tr><td style="text-align: center;">0</td></tr> <tr><td style="text-align: center;">0</td></tr> <tr><td style="text-align: center;">0</td></tr> <tr><td style="text-align: center;">0</td></tr> </table>	7	0	0	0	0	b. BULLET COMMENTS (Performance/Potential) • Outstanding performance while serving as a member of the White House Personnel Security Office. • Clear potential for positions of greater responsibility. • Select to attend AMSC at the earliest opportunity. • Willingly accepted more and more responsibility during a time of office personnel shortages.
☒ 2 ☐ 3 ☐ 4 ☐ 5	} SUCCESSFUL FAIR UNSUCCESSFUL								
7									
0									
0									
0									
0									

REVERSE, DA FORM 7222, MAY 93

SENIOR SYSTEM CIVILIAN EVALUATION REPORT SUPPORT FORM						
For use of this form, see AR 690-400; the proponent agency is ODCSPER						
PART I - RATEE IDENTIFICATION						
a. NAME OF RATEE (Last, First, Middle Initial) MARCECA, Anthony B.		b. PAY PLAN, SERIES/GRADE GS-1811-13		c. ORGANIZATION Washington Metro Fraud Field Office		
PART II - RATING CHAIN - YOUR RATING CHAIN FOR THE EVALUATION PERIOD IS:						
RATER	NAME ROBINSON, James T.	POSITION Special Agent-in-Charge				
INTERMEDIATE RATER (Optional)	NAME	POSITION				
SENIOR RATER	NAME ALLEN, David C.	POSITION Director, MPFU-East				
PART III - VERIFICATION OF FACE-TO-FACE DISCUSSION						
The following face-to-face discussions of duties, responsibilities, performance objectives, standards, and accomplishments for the rating period <u>20 Feb94</u> to <u>30 Jun 94</u> took place:						
	DATES	RATEE INITIALS	RATER INITIALS	INTERMEDIATE RATER INITIALS	SENIOR RATER INITIALS	DATE
INITIAL			JTR		RCA	
MIDPOINT						
PART IV - RATEE (Complete a, b, c below for this rating period)						
a. STATE YOUR SIGNIFICANT DUTIES AND RESPONSIBILITIES. DUTY TITLE IS: <u>Senior Special Agent</u>						
1. Senior Agent, USACIDC, Fraud Office, responsible for assisting Special Agent-in-Charge, conducting high profile Fraud Investigations and Liaison with respective agency heads. 2. Assistant Director of White House Security, responsible for reviewing and evaluating Full Field Background Investigations of White House Staff. Also prepared correspondence for the Director of Security, to White House Staff, Cabinet and Secretaries on related sensitive security matters.						
b. INDICATE YOUR MAJOR PERFORMANCE OBJECTIVES/INDIVIDUAL PERFORMANCE STANDARDS						
1. * Provide guidance to agents and maintain continuous oversight to ensure accurate, thorough and timely investigations. * Monitor case actions and assist in prioritizing investigative actions. * Ensure that supported Procurement Fraud Advisors are briefed on investigations pertaining to their organizations. ② * Assist agents with investigative plans, development of source program, consult with agents on early case development and timely coordination and briefing U.S. Attorneys and assure the cases are properly focused. ② * Develop and maintain a viable processing and reporting system to ensure all aspects of Full Field Background investigations are completed in a timely manner. * Plans, organizes and conducts comprehensive interviews of White House personnel. ② * Complete sensitive reports and correspondence in an accurate, timely manner and conduct liaison with Secret Service, Federal Bureau of Investigation, Central Intelligence Agency and other agencies and activities. * Prepare White House Security correspondence for Director on developing issues.						

C. LIST YOUR SIGNIFICANT CONTRIBUTIONS

1. * Developed evidence on ETG case and had it accepted for prosecution by AUSA. -----

* Obtained the Search Warrant and coordinated the search of ETG facility, and assisted in the processing of the evidence obtained.

(a) * Developed Registered Sources which resulted in the development of significant criminal information in ETG case. -----

* Assisted in the development of a training program for newly hired agents. -----

2. * Prepared Presidential correspondence for final review and signature.

(b) * Directed the access clearances of 2500 VIP's/Diplomats/Guests for admittance to the Signing of the Mid-East Peace Treaty.

(c) * Eliminated a six month backlog of Full Field Background Investigations and completed re-investigations of permanent White House staff.

Arthur S. Warner 19 July 97
SIGNATURE AND DATE

PART V - PERFORMANCE STANDARDS - SENIOR SYSTEM CIVILIAN POSITIONS

To derive Objective ratings, apply the applicable performance standards below; the standards are written at the SUCCESS level, e.g., Rate, in most cases:

TECHNICAL COMPETENCE. Exhibits technical knowledge, skills, and abilities to get desired results within established time frames and with the appropriate level of supervision. Sets and meets realistic milestones. Establishes priorities that reflect mission and organizational needs. Plans so that adequate resources are available. Makes prompt and sound decisions.

INNOVATION/INITIATIVE. Develops and implements or suggests better ways of doing business—methods, equipment, processes, resources. Seeks/accepts developmental opportunities. Serves on professional/technical committees, writes technical papers, joins professional societies to enhance personal knowledge and advance state-of-the-art of profession.

RESPONSIBILITY/ACCOUNTABILITY. Uses resources prudently and for intended purposes. Complies with DA emphasis programs, e.g., EEO/AA, safety/security, internal control, inventory management, quality assurance, personnel management, contract awards to small business concerns. Supports and encourages Total Army Quality (TAQ) approaches, e.g., team effort, continuous process/product improvement and customer satisfaction. Takes responsibility for personal errors, takes or proposes timely/adequate corrective measures. Establishes personal performance objectives that are challenging and reflect mission needs.

WORKING RELATIONSHIPS. Is an effective team player. Works well with group and others to get the job done. Exhibits a customer care attitude; e.g., shows respect to others; is courteous and seeks acceptable compromise in areas of difference.

COMMUNICATION. Provides or exchanges accurate/complete oral and written ideas and information in a timely manner. Listens effectively so that resultant actions show understanding of what was said. Coordinates so that all relevant individuals and functions are included in/informed of decisions and actions.

FOR SUPERVISORY POSITIONS ONLY:

ORGANIZATIONAL MANAGEMENT AND LEADERSHIP. Provides vision and communicates mission and organizational goals to all subordinates. Sets standards/leads by example. Implements/completes with appropriate DA emphasis programs. Secures/allocates/manages resources for effectiveness and efficiency. Takes timely and appropriate personnel actions. Develops subordinates through mentoring, counseling, providing challenging training and work assignments and timely performance evaluations. Recruits and retains high quality people by creating a positive environment that offers challenge and growth.

EQUAL EMPLOYMENT OPPORTUNITY/AFFIRMATIVE ACTION (EEO/AA). Applies EEO principles to all aspects of personnel management (e.g., hiring, training, work assignments/schedules, discipline, counseling and awards). As appropriate, takes immediate corrective action if sexual harassment or other discriminatory/unfair treatment is observed, reported or suspected. Provides leadership and emphasis to the execution of the Affirmative Employment Plan. Participates in EEO/AA activities and encourages subordinates to do so.

CIVILIAN PERFORMANCE PLAN			
For use of this form, see AR 690-400, Chapter 420: the predecessor agency is DCSPER		PAGE 1 OF 2 PAGES	
PART I - ADMINISTRATIVE DATA			
1. NAME (Last, First, MI) AND SSN MARCECA, ANTHONY B., 452-66-3920		2. NAME AND LOCATION OF EMPLOYING OFFICE U.S. Army Criminal Investigation Command MPFU-E, Fort Meade, MD 20755 w/Duty White House Security Office	
3. POSITION TITLE AND NUMBER, PAY PLAN, SERIES AND GRADE/LEVEL Criminal Investigator GS 1811-12(13)			
PART II - PERFORMANCE ELEMENTS AND STANDARDS			
JOB ELEMENTS a	CE b	PERFORMANCE STANDARDS c	
Background Investigations	Y	Assists Director of Security on matters regarding background investigations, criminal investigations and personnel security. In a timely manner reviews and analyzes investigation reports of potential and current White House Staff and military appointees for thoroughness and specific content. Prepares written recommendations for follow-up interviews or further investigation when questionable information is found in an investigative report. There can be no mission failures under this standard (Absolute Standard).	
Interviews and Interrogations	N	Plans, organizes, and conducts comprehensive interviews and interrogations of personnel when necessary to accomplish the mission of the White House Security Office. Interviews/interrogations are conducted in a timely manner, are thorough, and conducted IAW law and policy. Failure to conduct thorough interviews within established time constraints will occur no more than 5 times during that rated period.	
Liaison	Y	In furthering the effectiveness of the White House Security Office, establishes and maintains liaison with personnel of the Secret Service, Federal Bureau of Investigation, and other appropriate agencies/activities. The liaison will focus on mission accomplishment through the exchange of information and promoting effective working relationships. A met rating is based on overall mission accomplishment of the Security Office during the rating period.	
PART III - AUTHENTICATION			
SIGNATURE		DATE	SIGNATURE
1 SUPERVISOR	<i>D. Cuy Liggett</i>	25 SEP 93	
2 REVIEWER/ APPROVING OFFICIAL	<i>D. Cuy Liggett</i>	25 SEP 93	
3 EMPLOYEE	<i>Anthony B. Marceca</i>	25 SEP 93	

*Employer signature indicates that discussion, not necessarily agreement, has occurred.

CIVILIAN PERFORMANCE PLAN (continued)

Page 2 of 2 Pages

MARCECA, ANTHONY B., 452-66-3920

<u>JOB ELEMENTS</u>	<u>CE</u>	<u>PERFORMANCE STANDARDS</u>
Communications	Y	a. Written Communication: Prepare written summaries and reports in a timely, accurate, and thorough manner satisfying established Security Office policy. b. Oral Communications: Oral communication is clear, well organized, and conveys the intended meaning while at the same time displaying tact and persuasive ability in obtaining information and cooperation from persons in the furtherance of accomplishing the mission of the Security Office. In order to meet this element, there can be no more than 3 instances where communication errors or failures are identified which are reasonably attributed to the incumbent.
Professionalism	Y	Provides advice and guidance on matters of investigative and security policy and procedures. Keeps Director of White House Security advised on matters affecting mission accomplishment, policy, and procedures. Works as an effective team member, displays personal initiative, thoroughness, and sound judgement in performing assigned duties. Displays tact and diplomacy when dealing with others. Remains alert to situations which may have an impact on office mission accomplishment. A met rating in this element is based upon overall mission accomplishment during the rated period.

Mr. CLINGER. I now recognize the gentlelady from Illinois for 5 minutes.

Mrs. COLLINS OF ILLINOIS. Mr. Chairman, I yield to the gentleman from West Virginia, Mr. Wise.

Mr. WISE. If I could be recognized out of turn, and then I would like to yield my time to the gentlelady from Illinois. In other words, I am speaking now but yielding my time to her.

Mr. CLINGER. Without objection, the gentleman is recognized for 5 minutes.

Mr. WISE. I would yield to the gentlewoman from Illinois.

Mrs. COLLINS OF ILLINOIS. Mr. Cole, I would like to ask you about a memo that I have here that is addressed to you from Craig Livingstone, and it is dated May 27, 1993. This document was sent to the committee on June 14, 1996, and is among the materials recently produced by the White House which the chairman notified me that he may use in today's hearing. It is numbered CGE 047989 and states, "Please deactivate the pass issued to Senator Tower. Thank you."

Could you explain to me why Senator Tower, who had died 2 years earlier in a plane crash, still had an active White House pass in 1993?

Mr. COLE. Because it was the first notice we got from the White House to deactivate his pass.

Mrs. COLLINS OF ILLINOIS. Did you know he had died?

Mr. COLE. I wasn't aware of the fact he had a White House pass, ma'am.

Mrs. COLLINS OF ILLINOIS. Did you know he had died?

Mr. COLE. Yes.

Mrs. COLLINS OF ILLINOIS. Does anybody ever cull the lists to take out people who are deceased?

Mr. COLE. The requirement for deactivation of passes, that is the same requirement that took place for Vincent Foster, that we would have to have someone from the White House to tell us to deactivate it. It is obvious that person would not pose a threat to the complex, because they are deceased.

Mrs. COLLINS OF ILLINOIS. Why would you have to have somebody tell you to deactivate a file of somebody that the Service knows is not going to use it?

Mr. COLE. Because that documentation belongs to the White House.

Mrs. COLLINS OF ILLINOIS. So you are not allowed, when you know a person is deceased, to take him off the active list?

Mr. COLE. Because that person would not pose a threat to be allowed to come into the White House.

Mrs. COLLINS OF ILLINOIS. It doesn't make sense to me that the name is not deactivated.

Let me turn to a document that was provided by the White House to the committee on July 8, 1996, and was therefore included in the material recently produced by the White House which the chairman notified me he may use in this hearing, number S1002 entitled EOP directory source files, all files of 2-22-94. I am told that the list was prepared so the White House would have a list of all employees that could be used for invitations to affairs such as the Easter Egg Roll.

Mr. Undercoffer—

Mr. CLINGER. Do we have that document?

Mrs. COLLINS OF ILLINOIS. You all have it, Mr. Chairman. You have all the documents. This happens to be one that we pulled out. You all have all the documents.

Mr. Undercoffer, could you please explain why, as of February 22, 1994, according to this directory, the Secret Service data base listed Spencer Abraham as being on the Vice President's staff?

Mr. UNDERCOFFER. Well, ma'am, this is not a document that we produced, nor was the data—nor was our data base used in the production of this document.

I am told that, historically, we have provided the White House with information, but this EOP directory source file was not produced by a Secret Service computer.

Mrs. COLLINS OF ILLINOIS. Do you have any idea where it might have come from?

Mr. UNDERCOFFER. I am quite sure it came from the data systems from the Executive Office.

Mrs. COLLINS OF ILLINOIS. The source is USSS. Is that the U.S. Secret Service?

Mr. UNDERCOFFER. It says on the printout that the source is the USSS, but you would have to inquire of the people who produced this document as to what this means to them. This is not a document that we produced.

Mrs. COLLINS OF ILLINOIS. Could you explain why James Baker was listed twice in the Secret Service data base, once as a White House Cabinet Secretary and once as part of White House operations?

Mr. UNDERCOFFER. Yes, ma'am. During the time that Mr. Baker was an employee at the White House, he held two posts. I don't know exactly why, but they wanted him carried in two manners, one with the National Security Council and the other with White House personnel. Consequently, there were two records created for him in the WAVES system.

Mrs. COLLINS OF ILLINOIS. Are you saying someone must have misinterpreted a Secret Service list?

Mr. UNDERCOFFER. In regards to what?

Mrs. COLLINS OF ILLINOIS. Regarding this list we are talking about.

Mr. UNDERCOFFER. You mean in regards to this document?

Mrs. COLLINS OF ILLINOIS. Yes.

Mr. UNDERCOFFER. Again, we didn't produce this document. I don't know exactly how it was produced or even why it was produced. It is nothing that we produce. We don't have anything to do with this.

Mr. LIBONATI. Congresswoman Collins, I think I understand what you are asking. If the question is if, in fact, this may have come off of Secret Service documents, why the inaccuracy?

As I stated in my opening statement, if you try and apply the Secret Service data base, especially the master list, to another purpose such as a telephone directory, it will not fit. It will not work. I can give you an example of that if you would like me to.

Mrs. COLLINS OF ILLINOIS. Let me ask one more question, if I may. I understand that the Secret Service was made aware of the

fact that back in 1994 its lists were not that accurate. Is that a fact?

Mr. UNDERCOFFER. Yes, ma'am, but I would like to qualify the answer. There came to our attention in early 1994 that we had some pass holders listed as active when they were in fact inactive. There were very few pass holders. I previously testified that to the best of my recollection the total number was 20.

Mrs. COLLINS OF ILLINOIS. My question is, knowing 2 years ago that there was a problem with the list, my big question is, why is it that the Secret Service is so cavalier about keeping its lists up to date?

Mr. UNDERCOFFER. No, ma'am, we are not cavalier about it. In my analysis of the system in which I explained what happened, why those individuals would have been listed as active when they were in fact inactive, I explained that in 1993 we had a problem with the connectivity between the E-PASS system and the WAVES system. As soon as we became aware of that, and we became aware in early 1994, we fixed the problem.

Mr. CLINGER. The gentlelady's time has expired.

Mrs. COLLINS OF ILLINOIS. Thank you for the generous amount of time, Mr. Chairman.

Mr. CLINGER. The gentleman from Indiana, Mr. Burton.

Mr. BURTON. Thank you, Mr. Chairman. I would like to submit my opening statement for the record.

Mr. CLINGER. All opening statements will be made a part of the record.

Mr. BURTON. Thank you.

[The prepared statement of Hon. Dan Burton follows:]

PREPARED STATEMENT OF HON. DAN BURTON, A REPRESENTATIVE IN CONGRESS
FROM THE STATE OF INDIANA

Mr. Chairman, I commend you for your determination to find out who was responsible for the White House's improper acquisition of confidential FBI files on hundreds of people. If this committee had not issued subpoenas for documents relating to the Travel Office and then approved a contempt resolution to compel the White House to produce these documents, the American people never would have found out about the FBI files.

Today this committee will have an opportunity to hear from the Secret Service about how they updated and prepared lists of White House employees. There was no way that the Secret Service could have produced active lists containing the names that were used by Anthony Marceca at the White House. By discussing in detail the Secret Service's process for updating and preparing lists of White House employees we will make it clear to the American people that these names did not come from the Secret Service's active lists. I expect that the testimony and discussion will get a bit technical at times, especially as it relates to computers and such. That's great—we need to know these details, and I appreciate the three gentlemen from the Secret Service coming here today to speak to these matters. However, the bottom line is that the blame lies on the shoulders of Craig Livingstone, Anthony Marceca, and their superiors at the White House, not on the Secret Service. I think the White House owes the professional people at the Secret Service an apology.

The fact is that the same White House which was so eager to obtain confidential file information on former employees had hundreds of people working for months, and some longer, without permanent passes. Worse, we now know that some employees had recent histories of hard drug use and were in the White House's random drug testing program as a result. I think that the American people should be deeply troubled over the fact that the White House hired and kept on people who had had serious drug problems. Since it is ludicrous to believe that the White House could not have found suitable job candidates who did not have drug use in their pasts, one must assume that President Clinton and his administration just didn't care. I think they thought that digging up dirt on employees of previous administrations

would give them cover, so we're back to square one—why were the FBI files obtained? That is what this committee is going to find out.

I look forward to today's testimony and discussion, and I hope that it will be enlightening and will point the finger of wrongdoing to the White House, where it belongs.

Mr. BURTON. First of all, I am very impressed with the three gentlemen who are before us today and the way they have handled this issue.

The bottom line as far as I can tell is, from what you have told us, it would be impossible for the list of 476 to have been compiled from your records other than by somebody who was knowingly using the inactive names on that 24,000 list; is that correct?

Mr. LIBONATI. Congressman, I would say this. Those names appear on our master list, but I couldn't speculate as to whether they copied those names from that list intentionally or inadvertently. Regarding the status, I can only tell you that their status is clear as active and inactive on our list.

Mr. BURTON. There were only eight errors that you found of the 479; is that correct?

Mr. UNDERCOFFER. Of the 479, there were 10 total mistakes. My audit extended from 1984 through July 1993.

Mr. BURTON. So 469 were accurate?

Mr. UNDERCOFFER. That is correct.

Mr. BURTON. Then Mr. Marceca and Mr. Livingstone were made aware that the "A" meant "active" and the "I" meant "inactive."

Mr. COLE. I personally briefed Craig Livingstone—

Mr. BURTON. So he knew without a doubt that "I" meant "inactive" and "A" meant "active"?

Mr. COLE. As far as Craig Livingstone is concerned, yes.

Mr. BURTON. Mr. Marceca in sworn testimony said when he started receiving FBI files he found that so many of them were no longer working at the White House and he started throwing them in the dead bin, so Mr. Marceca must have know that a lot of the files he was getting were inactive files. Otherwise he wouldn't have been throwing them in the dead bin, and yet they continued to get these inactive files from the FBI.

So it appears to me from what you have said today and from previous testimony that there is no way that the Secret Service could have compiled the list of 479; is that correct?

Mr. LIBONATI. Not as active, no, sir. We would not have compiled a list of those 476 as active pass holders.

Mr. BURTON. In previous testimony, the young lady that—Ms. Wetzl, she said she had a list that was in a form that came from the Secret Service on Secret Service type computer paper and she said that was put into the destroy bag and was destroyed.

Could a list like she was talking about have been produced by the Secret Service on the Secret Service computer paper like she talked about?

Mr. LIBONATI. I am not quite sure how she characterized or described the list.

Mr. BURTON. As I recall, Mr. Chairman, in her testimony, the computer paper and the documentation, she had indicated it was from the Secret Service.

Mr. CLINGER. She indicated the list she destroyed was on green and white paper and appeared to have been a Secret Service list.

Mr. BURTON. You are telling us that could not have been from the Secret Service?

Mr. LIBONATI. It could have been a Secret Service list but it would not have reflected those names as actives. It could have been a Secret Service printout, but if it were, it would not have reflected those names as active.

Mr. BURTON. It would have shown as inactive the majority of those names on there——

Mr. LIBONATI. Or the master list of active and inactive, it could have been that list. But the 476, their status would have accurately reflected. So it could have been a Secret Service list. The names could have been on that list but their statuses would have been reflected if it were an active or inactive master list with an "A" and "I" accurately.

Mr. BURTON. My point that I would like to make, Mr. Chairman, is that it stretches credulity for Mr. Livingstone and Mr. Marceca and others who have testified before this committee to say that the list they had was from the Secret Service, No. 1, and if it was from the Secret Service and had "I"s beside the name, it stretches the imagination for them to believe that those were active files and that they should have been requested in the first place.

Then you follow that up with what Mr. Marceca said under order, that he was throwing these things in the dead bin. You would have thought that after a while he would have said we are getting these files because these people no longer work at the White House and shouldn't be on this list and shouldn't have passes. So the bottom line is, as far as I am concerned, they were digging for dirt and they were using inactive files for that purpose.

The question is, were they doing this on their own or were they receiving requests and orders from higher-ups at the White House to get on with this?

Mr. Chairman, that is the extent of my questioning at this time, and I yield back the balance of my time.

Mr. CLINGER. The gentleman yields back the balance of his time. The Chair now recognizes the gentleman from California, Mr. Lantos, for 5 minutes.

Mr. LANTOS. Thank you very much, Mr. Chairman.

I want to go back to the question of the late Senator Tower. As I understand you, Mr. Cole, you testified that even though the Secret Service knew or you knew that Senator Tower died, and in fact he died on April 5, 1991, there was no action taken with respect to deactivating his case, entering the White House, his file, his pass, until in 1993 Mr. Livingstone asked that the file be deactivated. Is that correct?

Mr. COLE. To the best of my knowledge, that is correct.

Mr. LANTOS. So you are saying that it is the responsibility of the White House to initiate action before the Secret Service removes people from the pass holder list; is that correct?

Mr. COLE. That is correct.

Mr. LANTOS. So since much of this discussion here over the last few weeks, Mr. Chairman, has focused on the sloppiness and inaccuracy in the Clinton White House, let the record show that Senator Tower, who was considered for Secretary of Defense and who was subjected to extensive nationally televised hearings during the

early phase of the Bush administration, passed away on April 5, 1991, and from April 5, 1991, until the Bush administration left office there was not the slightest move on the part of the Bush administration White House security people to request the Secret Service to take away the late Senator Tower's pass.

Is that correct Mr. Cole?

Mr. COLE. The only thing I could comment on this is that I would like to check the record to see when his pass was actually deactivated. This is just a memorandum that is jogging my memory from Mr. Livingstone requesting that.

Mr. LANTOS. Presumably if he asked that his pass be deactivated 2 years after he died, he still had a pass.

Mr. COLE. I can only respond yes based on this.

Mr. LANTOS. Very good.

Since, unfortunately, Mr. Chairman, much of this hearing has degenerated into a partisan political witch hunt, I would like to place into the record from the July 15 Time magazine a reference to the question of selective leaking, and I would like to read the relevant portion.

"Selective leaking can backfire. Last week William Clinger sent an outraged letter to President Clinton suggesting that George Stephanopoulos had been responsible for the hiring." This is the hiring of Mr. Livingstone. "As evidence, he pointed to a 1994 letter from Livingstone to Stephanopoulos that requested that Livingstone be considered for a job as director of the White House Military Office, the outfit that looks after the President's nuclear football. Clinger said this proved that Livingstone and Stephanopoulos had a close personal relationship."

And that is a quote from your letter, a close personal relationship. "Clinger, however, chose not to release a note passed between Stephanopoulos and his secretary. The secretary asked what she should do with the Livingstone request, and Stephanopoulos replied, 'Nothing'."

What this clearly reveals is that since we all get lots of requests from people to support them for various positions and if our decision is to do nothing, that surely does not reflect a close personal relationship.

Mr. CLINGER. If the gentleman would yield.

Mr. LANTOS. In a minute, if I have time, if you will give me more time, sir.

Another document quoting Time's comments under the headline, "Selective leaking can backfire," "Another document in Clinger's possession also tends to clear Stephanopoulos of involvement in the hire. Livingstone's resume, a White House source told Time, includes eight names offered as references, many of them midlevel Clinton operatives. Stephanopoulos is not on the list which Clinger didn't see fit to release. His partisan ploys just made the scandal seem frivolous."

I think it is extremely important, Mr. Chairman, that in our attempt to get at the truth we refrain as much as possible from selective leaking of documents, and as Time magazine, no friend of this administration, points out in both of these instances, unfortunately, selective leaking has taken place.

My final comment, Mr. Chairman, using my time, relates to Mrs. Collins' introduction of legislation. My distinguished ranking member and good friend I think has done all of us a major service by introducing this extremely important piece of legislation. There is no justification for FBI files to be present in Presidential libraries.

I strongly urge all of my colleagues on both sides of the aisle to cosponsor Mrs. Collins' legislation so we clean up this singularly unfortunate procedure where confidential FBI files are taken away from the FBI and deposited across the country in Presidential libraries.

I yield back the balance of my time.

Mr. CLINGER. The gentleman yields back.

The Chair recognizes the gentleman from New Mexico, Mr. Schiff, for 5 minutes.

Mr. SCHIFF. I yield 1 minute back to the Chair.

Mr. CLINGER. I would like to respond briefly to indicate that the letter that was referenced dated May 27, 1994, certainly did not undercut the assumption that there was a close personal relationship between Mr. Livingstone and Mr. Stephanopoulos because the beginning of the letter indicates, "Thank you for offering to be of assistance in my efforts to further serve." Now, Stephanopoulos at some point decided not to assist, but apparently there had been an offer of assistance which Mr. Livingstone was trying to take him up on.

The other point I would like to make is that the information the gentleman alludes to was contained in the letter to the President from me which then all the information was in fact made available by the White House.

Mr. SCHIFF. Thank you, Mr. Chairman.

Mr. Libonati, I would like to ask just one question, sir. On how many lists do inactive names appear? I know they appear on the master list. Are there any other lists lying around of just inactive names?

Mr. LIBONATI. Yes, sir. We recovered an inactive list from 1991, and on that list 182 of the 476 individuals should be on and were on that list, and we recovered a list from 1994. I don't have the number readily at hand, but I believe it was well over 400 were on that list.

Mr. SCHIFF. Are these clearly marked "inactive"?

Mr. UNDERCOFFER. Yes. Inactive is spelled out.

Mr. LIBONATI. Sir, the only list where you won't see the spelling out of the active, inactive traditionally is the master list.

Mr. SCHIFF. But the master list has approximately 16,000 "I"s for inactive?

Mr. LIBONATI. That is correct, sir.

Mr. SCHIFF. So if somebody were using that list and thought that I am an intern, they are looking at 16,000 interns, right?

Mr. LIBONATI. Yes.

Mr. SCHIFF. Do you think that 16,000 interns could fit in the White House? Never mind. I will withdraw that question.

Mr. Chairman, as Alice said in Wonderland, things are becoming curiouser and curiouser. We know that a mistake was made in the White House. The White House has admitted the mistake and has claimed that this was innocent of any political malice and was sim-

ply an administrative error. I, for one, have been trying to believe them. I may have my policy differences with the Clinton White House, but we all want to have confidence in the integrity of all branches of our Government, but things just keep adding up on the other side of the ledger.

First of all, nobody can still identify and no one has acknowledged hiring Mr. Livingstone for the position of head of personnel security, and, preposterously, he says he doesn't remember who hired him. I remember who hired me in my first law office gopher job 29 years ago. I think if I were hired at the White House I would be telling all my family and friends about it. And I think the reason is becoming obvious. His only credentials were political, and I think it is apparent that whoever hired him had a political mission at the White House, and they don't want to reveal that.

It is true they make reference to the White House Counsel, but Mr. Nussbaum and others testified that Mr. Livingstone was on the scene before they were, and although they have a right to keep or not keep Mr. Livingstone, that should not be confused with who hired him in the first place, although it still raises the question of why did they keep them?

Then we have Mr. Marceca who was requested by name from the White House to work with Mr. Livingstone. The White House didn't say over Mr. Kennedy's signature, we need some help. They said they need Mr. Marceca's help. The connections between Mr. Marceca and Mr. Livingstone appear to be all political and not related to any security business.

Further, the White House has assured everyone that no misuse was made of the files, and yet we know Mr. Marceca took information with him out of the White House. Responding to our subpoena, he had a computer tape with at least some information from these White House files on it, and this was kept at his home. -

Why did he keep it there? We won't be able to ask him that question because he is now asserting his privilege under the Fifth Amendment to the United States Constitution. He has that right. I don't question that right. But it seems to me that it contradicts the assurances of the White House that there was no misuse of the files if we can not question further the individual who most handled them.

Now we have testimony that what the White House and Mr. Livingstone and Mr. Marceca said happened could not have happened, that there was not a list of individuals classified as active in the White House who were inactive.

I think it has been demonstrated that things take some time and that names that should have been removed were not removed perhaps in a timely manner, although Mr. Livingstone's memo shows it is his job to continually cull the list and pull names off that have been left on. But that begs the question.

The White House files were ordered on people who clearly were already identified as inactive, who clearly were already identified as no longer needing access to the White House. So although one could say maybe some names got through, maybe some names are still shown as active who shouldn't have been, the fact is, hundreds of names were known to be inactive, and yet their files were re-

quested, and there is no explanation for how that could have happened.

Maybe following this testimony, to quote The Washington Post, quoting periodicals, the Clinton administration will revise and extend its remarks.

Thank you, Mr. Chairman.

Mr. BURTON. Will the gentleman yield?

I thought that on those lists there was an "I" or an "A." You are saying on everything but the master list it was spelled out, active or inactive, is that correct?

Mr. LIBONATI. Sir, there were a couple of variations. On some inactive lists it clearly states next to every person's name and spelling the word "inactive." On other lists at the top of the page it would say "inactive list" or "active list."

Mr. BURTON. But anybody like Mr. Marceca would have known clearly whether that was an active list or inactive list; correct?

Mr. LIBONATI. I couldn't speak to the master "A" and "I" list. I could only speak to the ones that spelled that word out, but in the status field "A" and "I" means "A" active and "I" inactive.

Mr. BURTON. But the only list that did not spell it out was the master list.

Mr. LIBONATI. Yes, sir, that's correct.

Mr. BURTON. Thank you very much.

Mr. CLINGER. The time of the gentleman has expired.

The Chair recognizes the gentleman from South Carolina, Mr. Spratt, for 5 minutes.

Mr. SPRATT. Thank you very much for your testimony.

As you performed your audit, you had available to you the two lists that consists of 476 names altogether?

Mr. LIBONATI. Not initially, sir. We had an initial list and subsequently received the second list, and then we began to combine them.

Mr. SPRATT. Were these the original list or Xerox copies of the original list?

Mr. LIBONATI. You mean the list that we were provided, sir?

Mr. SPRATT. The list that you understood to be a list maintained by the Office of Personnel Security which you were trying to audit to see if these lists could have been generated from your system based upon printouts that you had in the same period of time.

Mr. LIBONATI. Congressman Spratt, the best way I could answer that it this. We were given the typewritten, 8 by 11 page list of names, just typewritten.

I would have no way of knowing if the list we were given were copies or original documents. I could check with my colleagues, but I don't think we would have any way of knowing if that was the original they were working off of, sir.

Mr. SPRATT. When you say typewritten, do you mean by that it appeared to have been written on something like an IBM Selectric as opposed to being printed by Hewlett Packard laser printer?

Mr. LIBONATI. No, sir. What I mean by that is that people are referring frequently to these huge printouts that we provide. What I mean is that they were on paper like this, and it could have been a typewriter or a word processor printer. But the list we were given was not the broad list that many people have described. It was 8

by 11. The names were either provided by a typewriter or a word processor, and that is about the best I could describe it, sir.

Mr. SPRATT. And one of the witnesses—I can't recall whether it was Mrs. Gemmell or Mrs. Wetzl—indicated that the file she maintained in her vault was on distinctive green and white paper typical of the paper that you use for all of your reports.

Mr. LIBONATI. I recall that.

Mr. SPRATT. Have you seen that particular printout on the distinctive green and white paper?

Mr. LIBONATI. Sir, we have dozens of those. The one to which she referred to, no one has come forward and said this is the list to which she has referred. That's all I can tell you.

Mr. SPRATT. Does the Secret Service use a distinctive type of printout paper?

Mr. LIBONATI. Yes, sir, now I understand your question. It would seem—again, it would appear that that list that she described could very well have been and may have been a Secret Service list. I'm sorry; I didn't pick up on what you were saying.

Mr. SPRATT. That's all right, because we were trying to communicate. So the Secret Service does have its own computer printout paper which has a distinctive green and white tone to it?

Mr. LIBONATI. Yes, sir. Yes, sir. If I may, these are copies, so it's difficult to see, but these would be, in essence, the green and white to which you refer. When you copy them, you can see shades of color in here. But if you had the original of these documents that we talked about today, they would be green and white, as you have described them.

Mr. SPRATT. Nobody else in the White House has this kind of computer printout paper?

Mr. LIBONATI. I couldn't answer that.

Mr. COLE. It's standard form printing paper. It is a standard paper. Anybody could have that.

Mr. SPRATT. But do they have it in the Office of Personnel Security, or do they simply have a laser printer like every other small office?

Mr. COLE. I wouldn't know.

Mr. LIBONATI. I wouldn't know that, sir.

Mr. SPRATT. But you haven't really pursued that question to determine—the question is, where do the 476 names come from, then?

Mr. LIBONATI. Yes, sir.

Mr. SPRATT. And it's such a random list of names. There are a few suspect names and lots of other totally indifferent names. Who generated it, and how was it generated?

Mr. LIBONATI. Yes, sir. And, sir, we have not pursued some of the questions that you raise because we are not the investigative agency. We have the Office of Independent Counsel and two congressional committees. We would really be stepping out of our bounds to pursue this beyond the issue of the printouts.

Mr. PETERSON. The question that hasn't been answered is, why are you keeping these 16,000 inactive names on this file in the first place? Who is ordering to you to do that? Did you do that, or did the White House tell you to do that, or who?

Mr. LIBONATI. I can respond to that, sir. We have provided that answer in briefings. Again, I was trying to keep my statement brief and I didn't include it.

In 1982, even before we had E-PASS, we made a determination, for archives reasons, we have to archive these documents. And I can get into this. It will take some time. For archives reasons, we made a decision in 1982, rather than to keep them even longer, to cut the time off at 8 years. And the reason we collected 8 years is, that covered the broadest potential of a President winning two terms.

And what frequently happens with us, as a result of congressional inquiries and other inquiries, is, we get Freedom of Information requests. So we covered 8 years, which is two terms of a President, which is the most they can serve, and that 8 years on the master index provides us the opportunity to set up an archive system.

I could clarify this even more. It's fairly lengthy. I don't know if it is relevant. If you want me to, I will go on with it.

Mr. SPRATT. Let me pursue one last line of inquiry, because time is about out. Do you recall seeing the memos from Lisa Wetzl complaining that your lists, the Secret Service's lists, were out of date and erroneous in some respects?

Mr. COLE. I don't recall seeing those memos; no, I do not.

Mr. SPRATT. Have you made a search of your files to determine if you indeed had such a memo, you responded to it, and there was any action taken as a result of it?

Mr. COLE. There were constant actions to rectify and clarify any inaccuracies in our list and their data. And basically that is part of the process. It is a daily process back and forth to rectify all that information.

Mr. SPRATT. Wouldn't this be pertinent to your audit? If you were getting feedback from the Office of Personnel Security that this was an inaccurate list, that you would look at that and see if they were generating inaccuracies that somehow weren't consistent with this?

Mr. LIBONATI. Congressman, perhaps I could address that in terms of semantics. Ms. Wetzl—I don't know her; I have never met her; I don't believe she worked there that long. But I believe when Ms. Wetzl refers to these as errors, it kind of confirms what we have been saying.

We send them an active list. They find names which they wish to make inactive, and some of them are very obvious, very obvious. And so possibly Ms. Wetzl looks at these as errors, but in fact that is why—and Ms. Wetzl's testimony, I did see that, sir. She testified that they were active pass holder lists that we gave her. That is why we give her active pass holder lists. That's the only reason we give them active pass holders, so she can look down the list and find these errors, if you will, not from our perspective, and then notify us.

Now, if there were occasions where Ms. Wetzl feels she notified us and we didn't take them off, that may be. But we have directed our audits to the 476 names. Now if there are other mistakes that we have made with other names that are obvious that should have been taken off, that may be, and we will audit further. But as it

relates to these 476 names, we have gone through each and every one of them.

Mr. CLINGER. The time of the gentleman has expired.

The Chair recognizes the gentlelady from Florida Mrs. Ileana Ros-Lehtinen.

Ms. ROS-LEHTINEN. Thank you for that "young lady" reference, as I just had a birthday yesterday.

Before I ask my questions, I would like to yield some time to Mr. Burton.

Mr. BURTON. Just briefly.

Mr. Libonati, the list that Ms. Wetzl had and was put in the burn bag and destroyed, would that list—if it were from the Secret Service, would it have spelled out active and inactive by the names of the people on that list or at the top of the list?

Mr. LIBONATI. Again, sir, that would totally depend on which list it was.

Mr. BURTON. But you said earlier that the only list that didn't spell out active and inactive either at the top of the list or besides the names was the master list.

Mr. LIBONATI. That's my understanding.

Mr. BURTON. So if she had a list of 479 names, then that list would have spelled out some place at the top or on the side that those were active or inactive personnel?

Mr. LIBONATI. Again, Congressman Burton, if she worked solely off of an active/inactive list, it would be an "A" and "I." If she had access to an inactive list, it would have been reflected on that list.

Perhaps I'm not understanding your point, and I apologize.

Mr. BURTON. Would the list she had, if it were not the master list, would it have spelled out "active" and "inactive" on the list some place?

Mr. LIBONATI. Yes, sir. Yes, sir, that's correct.

Mr. BURTON. So it would have been no doubt, if there were a large number of names that said "inactive," that she would have known that.

Mr. LIBONATI. "Inactive" would have been clearly on that list. Yes, sir.

Mr. BURTON. I thank the gentlelady for yielding.

Ms. ROS-LEHTINEN. Thank you.

In the previous hearings that we have had in this committee, we learned a great deal about Mr. Craig Livingstone. We have learned that he was the epitome of a political operative for the Democratic Party. And although working on campaigns is an activity that all of us as elected officials appreciate and encourage, we have learned, as I'm sure you have seen in the press, that Craig Livingstone and his sidekick, Tony Marceca, were involved in dirty tricks, using personal, private information to try to influence political loyalties.

And Craig Livingstone's own resume, which I have right here, trumpets the success of his counterevents operation against the Bush campaign. He says "successfully deployed several of the infamous Pinocchio and Chicken George media events" right in his resume. And it would be great if he would be applying for a political job at the DNC or somebody who wants to continue playing Chicken George during the campaign, but I don't see anywhere in this

resume that Mr. Livingstone had any experience in either law enforcement, which would have been nice for the Office of Personnel Security, or in the military.

Yet someone at the White House determined that Mr. Livingstone should not only run the Office of Personnel Security but also receive a \$33,000 raise while over the time that he was working there. And I would like to ask Mr. Cole and other individuals certain questions about Mr. Craig Livingstone.

Mr. Cole, in the beginning of 1993, did someone tell you who would be taking over as the head of the Office of Personnel Security?

Mr. COLE. Well, there came a time when I was informed that Mr. Livingstone would be Jane Dannenhauer's predecessor in that position.

Ms. ROS-LEHTINEN. Did anyone tell you at any time who had actually hired Craig Livingstone?

Mr. COLE. No, I have no knowledge of who hired Craig Livingstone.

Ms. ROS-LEHTINEN. So that question remains a mystery for all of us.

Let me continue to ask you, did Mr. Livingstone appear to be eager about the prospect of becoming the head of the Office of Personnel Security?

Mr. COLE. Well, I don't want to comment on what Mr. Livingstone thought or felt as far as his position in the White House, because I really don't know.

Ms. ROS-LEHTINEN. Isn't it true that in your statements you indicated that he had told you that he might not continue in that job because he was actually in the running to head up the Military Office? Your statement indicates—basically indicated that he may not be in this position, that he may be getting that position, he was in the running for that position, that position, being the Military Office Chief.

Mr. COLE. That's correct.

Ms. ROS-LEHTINEN. So, he told you he was interested in becoming the head of this Military Office and he felt that he was in the running.

So it's our understanding that the White House Military Office is the office that handles all the interaction between the White House and the various branches of the military. And for a job like that, it would seem to make sense that the person in charge would at least be someone with a career in the military, some kind of knowledge and information about the function of the office or the function of the military.

If I could ask the other gentleman, Mr. Libonati, do you have a general understanding of the function of the White House Military Office?

Mr. LIBONATI. I have a general understanding; yes, I do.

Ms. ROS-LEHTINEN. Do you have any knowledge that Craig Livingstone has had any military experience or had any items in his resume which we have here to indicate that he was at all prepared to have this position?

Mr. LIBONATI. I wouldn't have any of that information. I never met Mr. Livingstone, nor have I read a resume of his.

Ms. ROS-LEHTINEN. Do any of the gentlemen appearing before us? Could you tell us if you have ever seen Mr. Livingstone's resume? And if you know what you know about him now, would you—do you indicate that he would have the preparation to head such a sensitive office?

Mr. COLE. No. Our only concerns would be whether or not Mr. Livingstone would pose a threat to our protectees in the White House, and that is all.

Ms. ROS-LEHTINEN. How would someone constitute a threat to the security? They would leak information?

Mr. COLE. No. A physical threat.

Ms. ROS-LEHTINEN. A physical threat?

Mr. COLE. That's correct.

Mr. LIBONATI. As I said in my opening statement, when you get into issues of leaking information and documents, that gets into the area of issuing security clearance. We play no role in issuing security clearances. Our mission is physical security of the President, his family, and the complex.

Mr. CLINGER. The time of the gentlelady has expired.

The Chair recognizes the gentleman from Pennsylvania Mr. Kanjorski.

Mr. KANJORSKI. Mr. Chairman, if I may reiterate, I made a request, it must be an hour ago, asking that the prepared statement of this witness be reproduced and provided to the members. It is my understanding that we have been denied that, and I am beginning to wonder why.

Is there some reason why the members of this committee cannot see that prepared statement?

Mr. CLINGER. No, there is not. I thought it was being reproduced.

Mr. KANJORSKI. I ask the Chair to order somebody from the majority staff to get a copy of that statement before anybody edits it and changes it in any way.

Mr. CLINGER. I don't think that is an appropriate remark. There will be no changes.

Mr. KANJORSKI. It is not inappropriate, because it was edited when I went down to the table.

Mr. CLINGER. I would remind the gentleman that it was inappropriate for him to approach the table at that time.

Mr. KANJORSKI. Since the Chair was not protecting the committee's rights to have the statement as prepared, I took it upon myself to protect the record.

Mr. CLINGER. The statement is—should be, is now being made available, as I understand it.

Mr. KANJORSKI. Well, could we have a copy of that statement? The full statement that you were reading from. The full statement.

Mr. CLINGER. The gentleman's time is running.

Mr. KANJORSKI. Well, the gentleman's time is running now. If the witnesses would direct their attention to something, as I understand your testimony, you did not provide the security or the investigation of any employees, past or present, at the White House. All you were is something similar to what the national police would be at a national park. You were interested in issuing passes for entrance and exit from the White House; is that correct? You had no security interest in the White House, other than passing on the

physical condition if there was a gorilla coming in that could attack the President.

Mr. LIBONATI. No, sir, that's not correct.

Mr. KANJORSKI. What were your authorities?

Mr. LIBONATI. Our authority is physical security, and certainly—certainly if we saw a violation of some sort, we would bring it to someone's attention, but we have no authority—no authority as it relates to security clearances.

Mr. KANJORSKI. Can we ask you to prepare and present to this committee any statements, memorandums, or letters to anybody of authority in the White House indicating how bad this record was, that you had active people and inactive people on the list that were misqualified or had previously died?

Do we have any statements, any memorandum, that we're going to find anywhere that you told someone in the White House of authority that there was an awfully sloppy operation going on here, whether it was the Secret Service's problem or the Office of Personnel Security problem, but somebody was allowing the ghost of Senator Tower to enter the White House 2 years after he died?

Do we have any memorandum or any statements now to see what action the Secret Service took to protect the security of the White House in regard to all these lists? Are there any? Did you go through the record? Did you find any memoranda or statements calling the attention of the White House to some security problems here?

Mr. LIBONATI. Sir, I will check that and will certainly provide you—if we find any memoranda or documents, I will certainly provide them for the record.

Mr. KANJORSKI. January 21, 1993, you would have been asked to prepare a list or have a list of who had access to the White House. Who would be on that list?

Mr. LIBONATI. As active pass holders?

Mr. KANJORSKI. Yes.

Mr. LIBONATI. On that list—that list would be fairly extensive, because it would not only include political appointees but it would include all career people at the White House. It would be an extensive list.

Mr. KANJORSKI. Absolutely. If President Bush's grandson was on that list, if Senator Tower were on that list, if Secretary Baker were on that list as active, and had not been withdrawn by instructions from someone in personnel security or Secret Service, they would remain on that list; is that correct?

Mr. LIBONATI. That's correct, sir.

Mr. KANJORSKI. And that indicates why it was 2 years later that the request by Craig Livingstone was to take poor Senator Tower's ghost's name off the list?

Mr. LIBONATI. Yes, sir. And if I can respond to that, Mr. Cole alluded earlier, I have seen that memo. We will check to see when we took Mr. Tower off the list. But that is correct.

Mr. KANJORSKI. We know that the Clinton administration came in the White House on January 21, 1993, and they weren't staffed up and they weren't well staffed, as some of the testimony has already concluded, in the Office of Security Personnel; is that correct?

Did you receive any memorandum January 21st to strike anyone off that list?

When was the first time you received information to strike people off the active list?

Mr. COLE. The Clintons took over—the Clinton administration came to the White House——

Mr. KANJORSKI. January 20, 1993.

Mr. COLE. That is not correct. Approximately 12 noon, January 20, 1993. That is when they came in the White House and they had to formulate their staff.

Mr. KANJORSKI. Yes.

Mr. COLE. All right. We cannot presume that there were people from the Bush administration that are not going to work in the new administration.

Mr. KANJORSKI. I understand, Mr. Cole. So you didn't do anything.

Mr. COLE. No. We did a lot to work with them to coordinate who should be in here and who shouldn't be. It is a day-to-day operation.

Mr. KANJORSKI. And you didn't strike anybody off as an active pass holder until someone in the Office of Personnel Security told you to do so; is that correct?

Mr. COLE. That's correct.

Mr. KANJORSKI. So if someone in the Office of Personnel Security asked the Secret Service for a list on this green and white paper as of January 21, 1993, they would have received the names of all of these people who had been active in the White House; is that correct?

Mr. LIBONATI. That's correct.

Mr. COLE. That's correct.

Mr. KANJORSKI. So, if at that point they never asked you for another list but worked off that list for the next 2 years, as they may very easily have done since Senator Tower's ghost was wondering around the White House, that would have been a Secret Service list indicating activity of these people even though they were not active.

Mr. LIBONATI. No, sir. That is not correct, sir.

Mr. KANJORSKI. Why is that not accurate?

Mr. LIBONATI. Because, sir, that list would not have reflected—you asked me about active pass holders as of the Inauguration Day.

Mr. KANJORSKI. Right.

Mr. LIBONATI. That list would not have reflected these people as active. And I will walk you through it.

Mr. KANJORSKI. You don't have to walk me through it. You are saying that some of the people would not have been inactive because they were marked inactive even before January 21, 1993?

Mr. LIBONATI. That's correct, sir.

Mr. KANJORSKI. All right. Now, there was testimony before the Senate committee that Mrs. Gemmell, Nancy Gemmell, a professional, had served in three Presidential administrations, ran across a name of Daniel Reah and asked the Secret Service why there is still on the list as of 1993 even though the person had long left the White House but was still on the active list.

Now, are you indicating that this professional at the White House that says she was operating off of the Social Security list saw this name, made a request to the Secret Service, and didn't receive a response or a return of her telephone calls, that she is lying?

Mr. LIBONATI. No, sir, I wouldn't suggest that, and, in fact, if we hypothetically accept this as a mistake on our part, that would not affect at all—

Mr. CLINGER. The gentleman's time has expired.

Mr. KANJORSKI. What we can accept here is that there are mistakes on your part, mistakes on the White House part, and it is very possible that these active and inactive lists included an awful lot of people that had access to the White House, particularly these high officials in January 1993 from the Bush administration.

Mr. CLINGER. The Chair recognizes the gentleman from New York, Mr. McHugh, for 5 minutes. And if you would yield to me for one clarifying question.

Mr. MCHUGH. I would be glad to yield to you, Mr. Chairman.

Mr. CLINGER. Mr. Libonati or Mr. Cole, isn't it true that on January 20, 1993, it still would—the list would still not have had 277 names as active?

Mr. LIBONATI. That is correct, Mr. Chairman.

Mr. CLINGER. Thank you.

I yield back.

Mr. MCHUGH. It may be, Mr. Chairman, that Mrs. Clinton was talking to Senator Tower when she wasn't talking to Eleanor Roosevelt. I'm not sure.

Mr. Libonati, to your knowledge, is Craig Livingstone's name still on the active list?

Mr. UNDERCOFFER. No, sir. His name was taken off the active list on the 26th of last month.

Mr. MCHUGH. Could you tell us who submitted that request that he be removed?

Mr. UNDERCOFFER. Yes, Chuck Easley.

Mr. MCHUGH. I'm sorry?

Mr. UNDERCOFFER. Mr. Charles Easley.

Mr. MCHUGH. The replacement?

Mr. UNDERCOFFER. Yes, sir.

Mr. MCHUGH. I would suggest, Mr. Chairman, that maybe we check to see who Craig Livingstone submitted his resignation to. Maybe that person could then say they hired him. I don't know how you could fire somebody who nobody knows hired them. I suppose that's another issue.

Mr. Libonati, do you keep records of when the White House makes a request for a list, or is this something that is just done routinely back and forth almost every day?

Mr. LIBONATI. Sir, it's done routinely every day. And if I could explain why we don't do that, what we are doing is giving back to them—as I indicated in my opening statement, all of the information comes from them that we put in the data base, all of the information.

So in essence we're returning to them information that they've already given to us. Therefore, there is no need for us—it's not like

we are giving all our information and we have to keep a record of it.

Second, the reconciliation process of active pass holders and inactive employees is a constant thing, so it is a routine; it is just a routine relationship. It is almost as though we had a file cabinet in our office with their information and they would come in and take that out of the file cabinet and leave. We don't keep records of it. It is a routine and frequent event; and, second, we are giving back to them their information.

Mr. MCHUGH. When did Craig Livingstone notify you that Senator Tower's name should be removed from the list?

Mr. LIBONATI. Sir, all we have is his memo. The only thing we can do with this—we don't know if this is accurate or what—is go back and check and see when we took Mr. Tower off.

This could very well have occurred. He may have sent this memo, and he may have asked us to take Mr. Tower off the list. As I said in the Senate Judiciary Committee, as odd as it may seem, we cannot take people off the list without notification.

Mr. MCHUGH. I understand that. I don't see how you have any system for White House clearance that is dependent upon any single or number of agents making a determination as to who is appropriately on it and who is not. I mean that could logically lead to disaster.

To follow up on my earlier question, you do intend to check the validity vis-a-vis your records of that particular memo?

Mr. LIBONATI. Yes, sir.

Mr. MCHUGH. I would suggest, Mr. Chairman, that, regardless of what that check may determine, the mere existence of Mr. Livingstone asking for former Senator Tower's name to be reviewed and to be removed suggests very clearly that Craig Livingstone supposedly was reviewing this list actively. It is fairly late into the alphabet, and it begs the question as to why he would therefore miss other names that are so obvious, many of whom are amongst these 470.

It seems that rather than giving any validity to the White House's claim that this was all a mistake, Mr. Livingstone's request on Senator Tower would suggest that they were indeed being selective in not trying to remove names except those that they knew couldn't be helpful to them, those who have gone from the face of this earth.

Let me just read a quote from Mr. Livingstone's testimony before this panel back on the 16th of July, Mr. Libonati, and ask to you respond to it.

He said—and I'm quoting from the transcript—"What we have always talked, sir, about is that the Secret Service list is a printout that we have got from the U.S. Secret Service. I have said today, and I know there are many others besides me, career people, that have been there, meaning the White House, for 12 years, that will dispute day to night the Secret Service statement. Initially I heard it was never wrong. Then I heard it was 3 days updated. Then I heard it was 30 days updated. It is simply not true. It was often wrong. It often listed people like Mr. Baker, 1994, as being an active pass holder on their list. That is a fact."

How would you respond to that statement?

Mr. LIBONATI. I'd like first to respond this way. And I've said this in other hearings. Hypothetically, even if what he said is true—even if what he said is true, I can tell you this: As it relates to these 476 names, it is not true.

Mr. MCHUGH. So in spite of all the diversion about Senator Tower and all of this other nonsense that has no applicability to the issue before this committee, the fact is, there is no way, according to your audit of your list, that the White House could have been in possession of those names as active pass holders, contrary to their claims and contrary to Mr. Livingstone's statement here.

Mr. LIBONATI. Sir, that is correct. And I also want to say that I accepted his premise hypothetically to make a point. I disagree with it, but I accept it to make a point, and that is correct, what you just said.

Mr. MCHUGH. I thank you.

Thank you, Mr. Chairman. I yield back.

Mr. CLINGER. The gentleman yields back the balance of his time.

The Chair now recognizes the gentleman from California, Mr. Condit, for 5 minutes.

Mr. CONDIT. Mr. Libonati, I want to go back, if I may, just for a few moments, and I want to yield to someone else. Tell me why you kept the 16,000 inactive names in the computer and why you did not purge them. What is the reason, in plain English?

Mr. LIBONATI. Yes, sir, I can explain that, and I did address this a little earlier, but I will explain it again. It used to be even more comprehensive, because we have to keep certain records for Freedom of Information requests. So what we did in 1982, and it made sense—

Mr. CONDIT. For Freedom of Information?

Mr. LIBONATI. It is for archives purposes. One of the purposes of the archives system is for Freedom of Information. I use that as an example we decided on 8 years back in 1982, because it covered a span of the potential of a President winning two terms. And traditionally, historically, if you can cover those two terms and those 8 years, it facilitates the process of archiving files and pulling files which are requested by Congress or by the press.

Mr. CONDIT. OK. I heard that a while ago. And I guess what I'm saying is, then, how many times have you been asked for Freedom of Information information on these 16,000 people in an 8-year span?

Mr. LIBONATI. That I couldn't answer, sir. I would only tell you that it is not just for Freedom of Information. There is requirements for archiving files.

Mr. CONDIT. Information for what? For archives?

Mr. LIBONATI. We send them to the Federal Records Center and not a Secret Service center. We archive files, they are held at the Federal Records Center for 8 years, and then they are destroyed.

Mr. CONDIT. Is that a requirement?

Mr. COLE. That was a requirement schedule that was set up by Federal Records Center. We have no—

Mr. CONDIT. Who is the Federal Records Center?

Mr. COLE. Out in Suitland, MD.

Mr. CONDIT. Who says you have to do this?

Mr. LIBONATI. I will have to check. I would not be giving an accurate answer. I will find out why.

Mr. CONDIT. Who the heck says you have to hold 16,000 names of inactive files of citizens of this country? You keep them in a computer, and they are inactive. Who the heck in Maryland, who the heck in this country, says you have to do that? We didn't say that.

Mr. LIBONATI. I will have to get an answer for you, sir. I do not know that.

[The information referred to follows:]



DEPARTMENT OF THE TREASURY
UNITED STATES SECRET SERVICE

August 23, 1996

The Honorable William F. Clinger
Chairman
Committee on Government Reform and
Oversight
U.S. House of Representatives
Washington, D.C. 20515-6143

Dear Mr. Chairman:

On July 17, 1996, Special Agents from the Secret Service testified before the House Committee on Government Reform and Oversight regarding the acquisition of FBI files by White House employees.

During the course of the hearing several Committee members requested an explanation for the retention period of White House passholder records by the Secret Service.

The retention of records is not a unilateral decision by the Secret Service. Following a study and review of administrative needs and requirements by the Secret Service, a recommended retention period of official Secret Service records and files was provided to the National Archives and Records Service for review and final approval.

Prior to 1982, the retention period for White House passholder records was 5 years. In April of 1982, a study was conducted by the Secret Service Office of Management and Organization. The study concluded that due to a recurring need for information in these files, an 8-year retention period would be recommended to the National Archives for review. The request was reviewed and approved by Archives appraisers in January of 1983. Three documents which are related to this recommendation and review by the National Archives are enclosed.

Additionally, during the course of the hearing Special Agent John Libonati indicated that Freedom of Information requests served as one example, though not the sole purpose, for the retention of records. These records and records in general have historically contributed to congressional inquiries and investigations as well.

- 2 -

If we can be of further assistance on this or other related issues please contact me at telephone number (202)435-5676.

Sincerely,

Wm. H. Pickle

✓
for William H. Pickle
Executive Assistant
to the Director
(Congressional Affairs)

Enclosures

Mr. CONDIT. That is a pretty big question. You have 16,000 inactive names. I don't know why you wouldn't purge them. Once they are not useful to us, why would you keep them?

Mr. LIBONATI. The other reason I mentioned FOI, the reason we kept them for 8 years, frequently people will go inactive during the first term of the Presidency. If the President wins a second term, more often than not, a great deal of those people return, and so—

Mr. CONDIT. Out of 16,000, how many is that, sir?

Mr. LIBONATI. I couldn't give you that statistic, sir. I'm explaining why the 8 years and why the process. But it is an administrative process.

Mr. CONDIT. This does not make good common sense, that you keep 16,000 names inactive in a computer. I can understand if they are active. That might be some justification to do that. But inactive? I can't say for sure, but I'd like to know the numbers of how many requests you get for Freedom of Information or whatever, how many times you have been requested, out of 16,000 names, information that is pertinent to anyone.

Mr. LIBONATI. Yes, sir. I would like to say that that was an example. There are other reasons, as I stated, about the two terms. I used Freedom of Information as one example as to why we do it. The other reason is the return and leaving and returns over a two-Presidential term.

Mr. CONDIT. That is pretty presumptuous. That hasn't happened a lot lately. Anyway, I'm concerned about that. I think there ought to be some policy where you purge these names and you purge them much more frequently. I just don't think private citizens ought to have their names in there if they are inactive. There is no reason to do that.

I would like, Mr. Chairman, my colleague who has been pursuing this line of questions, Mr. Peterson—if I would roll the balance of my time into his time, I would appreciate that, Mr. Chairman.

Mr. CLINGER. All right.

Mr. PETERSON. I thank the gentleman for yielding.

The purpose of—the only purpose of keeping this data base is to provide access to the White House; is that not correct?

Mr. LIBONATI. Yes, sir, access-related issues such as archives and other issues.

Mr. PETERSON. But it is not for creating archives, it is for establishing who should have a pass to get into White House, period.

Mr. LIBONATI. Yes, sir.

Mr. PETERSON. So why would you archive this? There is no requirement that they be archived. There is no reason to be doing that. The only reason you are keeping this data base is so you can figure out who should get into the White House and who shouldn't under this system; right?

Mr. LIBONATI. Yes, sir. I cannot speak to what the requirements are. I will have to get back to you. I have admitted that I don't know the answer.

Mr. PETERSON. I would like to know in writing who made this decision.

Mr. LIBONATI. Yes, sir.

Mr. PETERSON. And why they made this decision, first of all.

[The information referred to follows:]

REQUEST FOR RECORDS DISPOSITION AUTHORITY
(See Instructions on reverse)

TO **GENERAL SERVICES ADMINISTRATION,**
NATIONAL ARCHIVES AND RECORDS SERVICE, WASHINGTON, DC 20408

1 FROM AGENCY OR ESTABLISHMENT:
Department of the Treasury

2 MAJOR SUBDIVISION:
U. S. Secret Service

3 MINOR SUBDIVISION:
Headquarters

4 NAME OF PERSON WITH WHOM TO CONFER

John W. Best

5 TEL EXT

535-5776

LEAVE BLANK	
JOB NO	NC1-87-83-2
DATE RECEIVED	1-14-83
NOTIFICATION TO AGENCY	
1-20-83 <i>John W. Best</i>	

6 CERTIFICATE OF AGENCY REPRESENTATIVE

I hereby certify that I am authorized to act for this agency in matters pertaining to the disposal of the agency's records, that the records proposed for disposal in this Request of 1 page(s) are not now needed for the business of this agency or will not be needed after the retention periods specified.

☐ A Request for immediate disposal.

☒ B Request for disposal after a specified period of time or request for permanent retention.

C DATE	D SIGNATURE OF AGENCY REPRESENTATIVE	E TITLE
1/7/83	<i>John W. Best</i> John W. Best	SAIC, ISD Chief, Management & Organization Division
7 ITEM NO	8 DESCRIPTION OF ITEM (With Inclusive Dates or Retention Periods)	9 SAMPLE OR JOB NO

c2.

CO-3 Holders of White House Complex Pass Cases

NC-1-87-76-3
Item #28

Case files created by the Technical Security Division relating to issuance of passes for employees of the White House Complex, Secret Service employees, press representatives accredited at the White House, and other authorized individuals. These files contain a fingerprint card, personal data information sheets, a color photograph of the pass holder, a receipt for the pass and other pertinent records. In some cases there are copies of background investigative reports furnished by other agencies; i.e., FBI, OPM, etc.

Cut off at the end of the calendar year in which the file is closed.

Retire to FRC after cut off.

DESTROY when eight (8) years old.

(See attached justification)

115-107

DMS:ts:12-1-82

Received at MO Div.
on 2-1-83 and

STANDARD FORM 115
Revised April 1975
Prescribed by General Services
Administration
FPMR (41 CFR) 101-11.4

APPRAISAL REPORT ON RECORDS DISPOSITION REQUEST	JOB NUMBER 100-87-500
--	--------------------------

SECTION I - ACTION TAKEN

☒ 1. **APPROVED FOR DISPOSAL:** The records described under all items of the schedule, except those that may be listed in blocks 2, 3, and 4 of this section, are disposed because they do not have sufficient value for purposes of historical or other research, functional documentation, or the protection of individual rights to warrant permanent retention by the Federal Government.

GENERAL ACCOUNTING OFFICE CONCURRENCE ☒ IS NOT NECESSARY ☐ IS NECESSARY AND HAS BEEN OBTAINED.

☐ 2. **APPROVED FOR PERMANENT RETENTION:** The records described under the following item or items have been appraised by the National Archives and Records Service (NARS) and are designated for permanent retention by the Federal Government. The agency will enter these records to NARS as specified in the schedule.

☐ 3. **DISPOSITION NOT APPROVED:** The records described under the following item or items are not approved for disposal. See Section II of this form for explanation.

☐ 4. **WITHDRAWN:** The records described under the following item or items have been withdrawn at the request of the agency.

SECTION II - RECOMMENDATION/CONCURRENCES

	TITLE	SIGNATURE	DATE
APPRAISAL	APPRaiser	<i>Philip B. Borne</i>	1/18/83
	DIRECTOR, RECORDS DISPOSITION DIVISION	<i>Approved 1/18/83</i>	1/19/83
CONCURRENCES			

SECTION III - APPRAISER'S COMMENTS

With the attached Request for Records Disposition Authority, SP-115, the U.S. Secret Service seeks approval for increasing the currently authorized retention period for its case files on holders of White House complex passes. The increase is from 5 years to 8 years. The agency has re-evaluated its administrative needs for these records and believes that the case files should be maintained for 2 presidential terms.

I recommend approval of MUI-87-83-2. The formal concurrence of the unit of archival control is not needed since the records were previously appraised as temporary.

MEMORANDUM OF RECORD

TO File		DATE 4-20-82
INFORMATION RECORDED BY Darnelle Sneed		FILE 110.6
SUBJECT CO-3 Cases - Change Retention Period in 600 Protection Schedule		
CONTACT Margaret Stanley	OFFICE TSD, Pass Section	TELEPHONE NO 634-5886
DETAILS SYNOPSIS: TSD inquired about changing the retention period for CO-3 White House and EOB Complex Pass Holder cases from 5 years to 8 years retention. On 4-20-82 the above contact advised me that the current 5-years retention period is not suitable for their records; that TSD has a recurring need for information in the CO-3 case files and that this information is relevant for 8 years (two Presidential Administrations since 15 - 20 % of press people and complex passholders return to work for the Administration in office). Although the records are needed, EOB space is at a premium and they are fast approaching a decision time to either obtain another storage room or to send all records to Federal Records Center storage. TSD currently holds records on site for 3 years, then transfers cases to WNRC for 5 years. I advised her that when there is a clear need to change or modify a retention period, M&O can revise the schedule item by working through NARS. If TSD decides on this course of action, they should send a short O/M to this Division requesting us to start this action. <i>Darnelle M. Sneed</i> 4-23-82		

Mr. PETERSON. Second of all, I'd like to—is it possible for me to come down and take a look at your system?

Mr. LIBONATI. Absolutely.

Mr. PETERSON. I would like to come and look at your computer. Apparently you have a mainframe.

Mr. LIBONATI. Mr. Undercoffer could better describe the system.

Mr. UNDERCOFFER. We have three separate systems. One component of the system is a mainframe.

Mr. PETERSON. That's generally what you get the green and white paper off of?

Mr. UNDERCOFFER. Yes, it is.

Mr. PETERSON. So that would be all right, for me to come down?

Mr. LIBONATI. Absolutely, sir. We would welcome it.

Mr. PETERSON. On this master list, it just says "A" and "I." I still haven't seen a copy of this master list, but apparently there is a column there that says "A" or "I" in the column.

Mr. LIBONATI. "Status" and then "A" or "I," yes, sir.

Mr. PETERSON. I really think that these people should have known, but I think the problem is caused—I have dealt with computers a lot and dealt with people who dealt with computers. If they don't understand the computer system, a lot of times they cannot figure out what you are up to. And that might have happened here. We will never know.

Mr. LIBONATI. That's, correct, sir. I said that in my opening statement, I have no way of knowing that.

Mr. PETERSON. The people that are making this out—you know, it looks to me like it's more of a situation that they just didn't understand.

One of the questions I had: Did anybody actually train Marceca in terms of, did anybody tell him that this code was active and inactive?

Mr. COLE. I have no knowledge of that.

Mr. CLINGER. The gentleman's time has expired. And I will recognize a member of the majority, and then I will rerecognize the gentleman from Minnesota.

The Chair recognizes the gentleman from California, Mr. Horn, for 5 minutes.

Mr. HORN. Thank you very much, Mr. Chairman.

Mr. Libonati and Mr. Cole these questions are addressed to you. As I understand it, the FBI establishes the actual investigative file. The Secret Service has access to that file to see if there is any possible physical threat that might be made to the President, a member of the President's family.

Now as I understand that, Mr. Cole, in the record, in the depositions, you did examine Mr. Livingstone's file from that aspect since you examine, I think all of you, most of the White House files to see if there is any derogatory information in the file and is it relevant to the Secret Service's mission.

And as I recall the deposition, you raised your concerns about Mr. Livingstone's background with Mr. Kennedy, Bill Kennedy of the President's Counsel's Office; is that correct?

Mr. COLE. That's correct.

Mr. HORN. What were the concerns you had?

Mr. COLE. Well, I don't know if I'm at liberty to discuss particularly what resided in Mr. Livingstone's file in this form. I would think that the best place to go for that information would be to the FBI, because they investigated Mr. Livingstone.

Mr. HORN. No, but I'm thinking in your role as an agent of the Secret Service you did examine that file, you did have some concerns about what you saw in the file, and you went to Mr. Kennedy; is that correct?

Mr. COLE. Right, and I asked Mr. Kennedy if he concurred with my concerns one way or the other, and he did not, and ultimately Mr. Livingstone received his White House pass.

Mr. HORN. At the time you raised that with Mr. Kennedy, what was Mr. Kennedy's reaction?

Mr. COLE. He said he would look into it.

Mr. HORN. So, he didn't dismiss it out of hand?

Mr. COLE. To the best of my recollection, he did not just dismiss it; no, he did not.

Mr. HORN. Now, besides Mr. Kennedy, did you raise a question about Mr. Livingstone's file with anybody else in the White House?

Mr. COLE. Not that I can recall, no.

Mr. HORN. Why did you go to Mr. Kennedy?

Mr. COLE. He was the official who had the authorization to discuss that sensitive information with.

Mr. HORN. Now, would that be true of any file you reviewed in the White House, you would have dealt with Mr. Kennedy?

Mr. COLE. Mr. Kennedy or a representative in the Counsel's Office that had that responsibility.

Mr. HORN. Who handled it in the Counsel's Office when Mr. Kennedy didn't handle it?

Mr. COLE. I believe at that time the only person that I dealt with when Mr. Kennedy was there was Mr. Kennedy.

Mr. HORN. So the whole time Mr. Kennedy was there, he was your point of contact when you had a concern about the file?

Mr. COLE. That's correct. Or either if it was someone else, it was through the Office of Personnel Security, which was Craig Livingstone's office, or either Mr. Kennedy himself.

Mr. HORN. So, when you weren't dealing with derogatory information in Mr. Livingstone's file but dealing with it in someone else's file, you often went to Mr. Livingstone?

Mr. COLE. That's correct.

Mr. HORN. What kind of response did you get from Mr. Livingstone? Did he sometimes say, "You're absolutely right and we shouldn't clear that person"?

Mr. COLE. Well, we've had various conversations where he would agree or disagree. However, the ultimate decision was left with the White House Counsel as to how it was going to proceed.

Mr. HORN. When you dealt with the derogatory information in Mr. Livingstone's file and Mr. Kennedy said, "I'll look into it," did you raise those concerns with anyone else in the Secret Service?

Mr. COLE. To the best of my recollection, I believe I did raise those concerns to my superiors in the Secret Service.

Mr. HORN. And who was that?

Mr. COLE. At that time I believe it would have been Ike Hendershot and Russ Miller.

Mr. HORN. Would you mind spelling?

Mr. COLE. Hendershot is spelled H-E-N-D-E-R-S-H-O-T.

Mr. HORN. And what was his title at the time?

Mr. COLE. He was Assistant Special Agent in Charge for the Technical Security Division.

Mr. HORN. And was that the usual approach that when you raised it with White House personnel, you also informed your superior?

Mr. COLE. Yes.

Mr. HORN. To your knowledge, did they have any contact at another level in the White House to pursue it if they thought this is a serious situation?

Mr. COLE. The only level they would pursue it would be with Bill Kennedy.

Mr. HORN. OK. So all the points, no matter who in the Secret Service saw it, they would have focused in on Mr. Kennedy.

Mr. COLE. Yes.

Mr. HORN. And no one else. They wouldn't have escalated it to the White House Chief of Staff or the head of the Secret Service.

Mr. COLE. Well, if it became something that we felt that serious about, it probably would get raised to a much higher level.

Mr. HORN. Did that ever happen while you have been supervising agent where it has been raised to a higher level on anybody in the White House?

Mr. COLE. We've had some that could not be handled at my level and it has been raised.

Mr. HORN. And what was the outcome? Did change occur, or did the White House say, "Yes, you're right, we shouldn't grant this person access; put him some place else in the administration"?

Mr. COLE. The best way I could answer that question is that these issues usually mitigated the severity or whatever in those background files basically would have to be referred to the FBI. Our concerns were satisfied, and our mission was met.

Mr. HORN. As I understand it, Mr. Livingstone had in his background being a bouncer. Was that of concern to the Secret Service?

Mr. COLE. I'm not at liberty to discuss what was in Mr. Livingstone's background.

Mr. HORN. Ordinarily—let's generalize then. In the files you looked at where there were problems in this administration or the previous administration, was it primarily dealing with drugs, or what are we talking about? What type of thing frequently popped up?

Mr. COLE. The only thing I could speak on, sir, is that our mission is to protect the President and the complex, and there are various items that come to our attention.

Mr. HORN. I should say when I use the word "drugs," I ought to define it. That includes substance abuse such as alcoholism where you get so dead drunk you say a lot of stupid things and you might assault someone.

Mr. COLE. Again, I'm not at liberty to discuss what we reviewed. I would think it would better serve, respectfully, the committee to look to the FBI for that information.

Mr. HORN. Thank you.

Mr. CLINGER. The time of the gentleman has expired.

The Chair recognizes the gentleman from Pennsylvania, Mr. Fattah, for 5 minutes.

Mr. FATTAH. Thank you, Mr. Chairman.

I guess a lot has been said about this whole situation. And I first want to start out by saying that I think that the Secret Service as an agency does a great job and a great service to our country, and that in no way do I think that these particular matters, no matter how excited members of the committee may be, take away at all from our appreciation for the work that you do.

This issue, however, these lists, is of import because there was some rumor or suggestion that there was no way that this list came from the Secret Service. And now, we come to understand that there is a list that the Secret Service could have produced, a master list at least, that would have had every one of these names on it, period.

So that any suggestion that Livingstone or Marceca or somebody in the basement of the White House just wrote these names on the back of a tissue paper and made them up is probably not accurate, that they did come originally from the Secret Service list, and these are not lists that you produce, these are lists in which the inputs come from the White House. That is, probably the Bush and Reagan White Houses gave you names when the Clintons came in. Those names were still on those lists. They were either active or inactive, but they were on the list.

Mr. LIBONATI. That's correct, sir.

Mr. FATTAH. And so this is not—I mean, I was confused. People were suggesting that maybe it was an enemies list, and I noted that Newt Gingrich wasn't on it, and I was wondering, maybe they remember really slipping at the White House if they were drawing up an enemies list and they left off some obvious characters.

So this was a list that was generated, and the real problem here is, we have a process which doesn't work out that well. That is to say that either we need to get rid of names that are, you know, like Senator Tower, who are dead, or people who are no longer going to need access for other reasons; that is that their bosses left or the new President has taken over; somehow get those names off the list sooner so that we would not have a situation where people are trying to update personnel files and going through the normal process of updating those files by requesting FBI files for names that are no longer needed.

Now, a lot has been made out of this, as you can tell. Some people have—like Livingstone has lost his job, and people have made all kinds of wild allegations, but in essence what we have is a process that needs to be reformed.

And Congress took some action earlier. We passed the Presidential Records Act, which may have complicated this problem actually, because we required that when a President leaves office that they remove all their personnel information and all of their files and all of their paperwork and take it with them, so that the new President shows up and his staff, who don't have a lot of experience at that moment, and they start out from scratch, except for the list that is provided by the Secret Service, which is given through the Office of Personnel Security from the previous administration. At least on day one that's where they would start out.

So the question is, how come this list is not part of the material required under the Presidential Records Act to be taken with the President who is leaving? Why is this the only set of documents that still exists in the White House?

Mr. LIBONATI. Actually, the appointments records, the visitors records, and pass holder records are provided, I believe, in disk or tape form for Presidential records. So in fact they become Presidential property in that form, as I understand it.

Mr. FATTAH. But what I'm saying is that the Bush administration or the Clinton administration, or whoever the next administration may be in 4 years, will have a situation in which there will be no other personnel records. The only documents that they will have at their disposal on January 20th or so will be a list provided by your good offices.

Why would we want to give them a list of people who are no longer active along with people who are career people at the White House?

Mr. LIBONATI. Predominantly we give them the active list, and the dilemma is—I don't want to say the dilemma, the majority of active people are career people that may very well be kept on.

Mr. FATTAH. How many people work in the White House or are on this list?

Mr. UNDERCOFFER. There are 8,003 active pass holders.

Mr. FATTAH. How many career people and what we would call political appointees?

Mr. COLE. I would say 6,000. The majority of them are career.

Mr. FATTAH. Of these 476, do you know how many are career?

Mr. UNDERCOFFER. Three.

Mr. FATTAH. Now, this is a list that went from A.

Mr. LIBONATI. AA to GO.

Mr. FATTAH. And if we would play that out to the end of the alphabet, do we have any idea how many people would have been on this overall list?

Mr. LIBONATI. There are several ways, if you talking AA to GO—if you are talking AA to GO, everybody on an active/inactive list there would be slightly in excess of 8,000 names. That is on an active/inactive list. If you narrow the field to the active pass holder list AA to GO, there would be slightly in excess of 2,000 names.

Mr. FATTAH. Since there were so few career people, this would probably have been a list of political appointees then in the previous White House?

Mr. LIBONATI. Right. You could have broken the field down to the business name, which is White House Operations, and they are predominantly—you can query the system that way, and they would be predominantly noncareer people; that's correct.

Mr. FATTAH. Now, the question that's been asked by the gentleman, Mr. Peterson, about how they get these names from 6 and 7 and 8 years ago off this list, you are saying that for archives reasons you have to have this 8-year window.

Now, it would seem it me, given how we move data around these days, that there would still be better ways to do this than to have a bulky list that could have anyone misinterpret the A for the I or whatever the case may be, or, rather, you can print out a master

list that didn't print As or Is, just a master list in alphabetical list order, which I assume the computer can do.

Mr. LIBONATI. And we do that. When I say "master list," we can print out a master list of all active people, and in fact Ms. Wetzl testified that that is exactly what we gave her on a weekly basis.

Mr. CLINGER. The gentleman's time has expired.

The Chair recognizes the gentleman from Florida, Mr. Mica, for 5 minutes.

Mr. MICA. Just a quick question, gentlemen. The list that Mr. Marceca had had 476 names on it, I guess, you are somewhat familiar with that list. Did you provide that list to him?

Mr. LIBONATI. No, sir.

Mr. MICA. You didn't provide that list to him?

Mr. COLE. No, sir.

Mr. MICA. The Secret Service didn't prepare that list for him?

Mr. LIBONATI. No, sir.

Mr. MICA. That's not your list. It never was your list. So all this talk about other things is diversionary tactics.

Let me get back to a line of questioning that Mr. Horn had. Mr. Cole, you were in the White House from 1992 to present?

Mr. COLE. I was there for the change of administration to the present.

Mr. MICA. From 1992 to present?

Mr. COLE. Yes, yes.

Mr. MICA. In the Secret Service one of your missions is to protect the President from dangers; is that correct?

Mr. COLE. That is correct.

Mr. MICA. I am concerned about how people can be on a request for a pass and yet be denied access or considered—you can make a determination that someone could be a threat to the President, right? When there is a request for access to the White House?

Mr. COLE. That's correct.

Mr. MICA. So you do serve that role in protecting the President?

Mr. COLE. That is correct.

Mr. MICA. One of the questions Mr. Horn started talking about was drug use or drug abuse. If someone had a past history of drug use or abuse, would you deny—would they be—would that be a consideration for being denied access to the White House?

Mr. COLE. That would depend on the extent of it, the type of activity—

Mr. MICA. Say more than 5 years ago. Would that still raise a question?

Mr. COLE. Well, any type of criminal activity brought to our attention will raise our concerns, and then we would have to investigate the facts surrounding that type of activity.

Mr. MICA. If someone used crack cocaine then, that would be an example—they admitted and you saw, again, hypothetically?

Mr. COLE. Yes, it would.

Mr. MICA. Did you ever see a submission for someone to have access who had used crack cocaine? You don't have to identify that individual. But in your work?

Mr. COLE. Right now I cannot recall any specifics on the various types—on any type of illegal drugs at this time, specifically.

Mr. MICA. Did you, in fact, see illegal drug use and that become a concern to you about an individual that you raised those concerns?

Mr. COLE. Once again, I don't think it is appropriate for me to discuss what I've read or saw in the FBI background investigations.

Mr. MICA. Not on one, but in your testimony, in your deposition that I have a copy of, you said that, in fact—did there come a time—well, you went into the point that you'd seen some drug use or substance abuse in people's records and that it became—there is a question: "Did there come a time when the Secret Service initiated a program where they had individual random testing of individuals who had problem drug histories?" And you answered, "Yes."

I'm wondering if, again, were there instances where you were concerned about a danger to the President or someone's background dealing with drugs and that, in fact, the Secret Service—this became such a concern that the Secret Service asked to proceed with further security clearances, that a program was instituted to deal with this problem? Are you aware of that?

Mr. COLE. Well, if you are referring to my deposition, I think what I said was that we raised a concern.

Whatever programs were instituted were instituted by the White House. The Secret Service does not manage or operate a drug program for the White House. These issues are mitigated one way or the other.

Mr. MICA. But was there use or history of use in some of these backgrounds that became such a concern that you had something to do with instituting a program in the White House before you would proceed—not you, but Secret Service or the higher-ups?

Mr. COLE. Well, again, there were issues that came to my attention that concern some drugs that I raised with the White House, and these issues were mitigated to satisfy both the White House and the Secret Service as it pertains to dangerousness, and to that issue only.

Mr. MICA. But this became a concern that you raised at such a level that something had to be done in order to allow these people to gain access?

Mr. COLE. That's correct.

Mr. MICA. I've heard various reports about how many people fell into this category; 18; now I'm hearing over 20. In your recollection, was it that amount or above?

Mr. COLE. The only thing I can recall, and I so stated in my deposition that it was more than 10, and that's pretty much all I can recall at this time.

Mr. MICA. But, again, it became such a concern that the White House had to take what you said, remedial action or to mitigate this circumstance; is that correct?

Mr. COLE. Yes.

Mr. MICA. Are you aware, is that program still ongoing in the White House?

Mr. COLE. Once again, the Secret Service does not run that program. So in terms of what's happening with it and how it is being administrated, I can't comment on it.

Mr. CLINGER. The gentleman's time has expired.

The Chair now recognizes for his own time the gentleman from Minnesota, Mr. Peterson.

Mr. PETERSON. Thank you, Mr. Chairman.

Going back, I don't know if you answered this or not, but I'd like to get it specifically. This decision of keeping these inactives in the data base, did the White House make—tell you to do that?

Mr. LIBONATI. No, sir. The best I could tell you, I have to acknowledge today that I don't know for certain if there are any legal requirements for us to do that or if it was merely an administrative decision by an agent, but I will get back to you on that.

Mr. PETERSON. Respond to me in writing as to who made that decision and if you know when and why. I would appreciate that.

Mr. LIBONATI. Yes, sir.

Mr. PETERSON. Also, I'd like in writing the question Mr. Condit asked you, if you would respond to him and me of how many Freedom of Information requests were made since this decision was made or how many people asked for information out of the archives to see if this was something that was, you know, a big deal or not.

Mr. LIBONATI. Yes, sir.

Mr. PETERSON. If you could get us that information.

Mr. LIBONATI. Yes, sir, I will.

[The information referred to follows:]



DEPARTMENT OF THE TREASURY
UNITED STATES SECRET SERVICE

AUG 12 1996

The Honorable Cardiss Collins
Ranking Minority Member
Committee on Government Reform and Oversight
U.S. House of Representatives
Washington, D.C. 20515-6143

Dear Ms. Collins:

This letter is in response to your inquiry dated July 17, 1996, for access to "a list of the number of requests for records on Secret Service passholder lists made pursuant to the Freedom of Information Act, listed by year to include a description of each request from 1982 to the present."

This office conducted a search of records which are maintained in the Service's Freedom of Information and Privacy Acts Request Tracking System and located 16 records which are responsive to your inquiry. Our tracking system does not reflect data prior to 1989. All records prior to 1989 have been destroyed pursuant to the Service's records retention schedule. Therefore, the information included in this response reflects information from January 1989 to the present.

Enclosed is a list of the requested information which contains the year of the each request, and a summary of the information requested.

As stated in testimony before your Committee, Freedom of Information and Privacy Act requests serve as one of several reasons for the 8 year retention of White House Passholder files. The Secret Service Office of Management and Organization studied this issue and determined that the 8 year retention period would serve to facilitate administrative tasks within the Secret Service Access Control Branch.

If we may be of assistance in the future, please contact this office (202-435-5676).

Sincerely,

William H. Pickle
Executive Assistant
to the Director
(Congressional Affairs)

Enclosure

Freedom of Information Act Requests re: White House Passholders

Affiliation	Subject of Request
Year 1989	
The News York Times	Reporter requested information pertaining to himself
Year 1990	
Passholder	Personal information
Cohn and Marks	Clients request for personal information
Passholder	Personal information
Passholder	Personal information
Year 1992	
Passholder	Personal Information
Year 1993	
The New York Times	Vincent Foster
New York Post	Vincent Foster
Year 1994	
The Wall Street Journal	Vincent Foster, Jr.
The American University	Vincent Foster
David Brock	Vincent Foster
American Journal	Clinton Administration Personnel
Year 1995	
University of Maryland	White House Press Pass Applicatons
University of Maryland	White House Press Pass Application
Dwight Carl Fortney	Illegal drug use of White House Personnel
American Journal	Clinton Administration Personnel

Mr. PETERSON. It just seems to me, listening to all of this, if there are changes that are made administratively, maybe we need to introduce a piece of legislation that says we will not keep information, the Secret Service won't keep information, on anything—anybody that is not required, requesting current access to the White House, because it seems to me that it's leaving things open for mischief and, you know.

Also, I think we ought not to be allowed—that we ought not to keep any of this information in the White House. The FBI ought to keep it, and you could send over there and ask them if it's all right or not, and they could send back the information to you.

And we don't need to keep any of these files in the White House. It seems to me it would be better if we kept them with the FBI, and then we wouldn't get into this problem in the first place. If we can't do this administratively, maybe we need to do it legislatively to straighten some of this out.

Mr. LIBONATI. The FBI files that you are referring to that are in the Office of Personnel Security?

Mr. PETERSON. Whatever information you need to find out as to whether they should be given access to the White House. Whatever that information is should be kept at the FBI, not kept with the Secret Service or the White House or the personnel office or whatever. I just don't think it should be kept there. That way, we wouldn't have these kinds of problems.

Also, I am in receipt—and I don't know if this is in the record or not—

Mr. BURTON. Will the gentleman yield?

Mr. PETERSON. Yes.

Mr. BURTON. Briefly. The files in question were kept by the FBI. They were ordered from the FBI by the White House.

Mr. PETERSON. And we should stop that process. I don't care if it is the Bush White House or the Reagan White House, they ought not to be doing that. The files shouldn't be in the White House under any circumstances for any reason, I don't think.

I have a document here, I think it is from July 7 of 1994, where apparently there was a White House meeting here where they were discussing the problems with this data base. And it says here that they still have James Baker in there, and this is a problem, and how are we going to fix it, and so forth.

So, I would like to enter this in the record, that there were discussions in the White House and there were pointed out problems with this data base.

Mr. CLINGER. Without objection.

[The information referred to follows:]

*left
under cover*

SECRET SERVICE

- Previous staff still in pass file - ex: James A. Baker

SOLUTIONS:

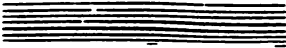
- *bi-* ✓ Send separation reports *weekly* from Personnel
- Personnel file/USSS file agency difference report
- ✓ Social security number discrepancies report
- Security (EOP & WH) review entire list like they did one year ago
info. comes from Security of P.S. admin. contacts more planning & check on process - did others etc.
- Keep up w/ correct location:
 - When staff picks up new pass. where does the change of address go?
goes to mail room
- When staff switch agencies, the pass file isn't affected - *only on staff to provide information*
- White House Operations Personnel includes:
 - *should be CAs*
Donna Shalala
 - Federico Pena
 - Admin. of GSA
 - Donna McLarty
 - Mary Margaret Rasco
- What is this category? How is it determined on an individual basis?
- Test Records - we need a way to identify them
 - Howdy Doody - OMB
- What kind of category is miscellaneous non-government employee?
- Consistency with data entry for agencies

repeat to del. inactive or coming up inactive (set pass)

*1. to w/ Annie's staff, Chuck, Craig & IST people
monthly compare after 1st scrub
admin. contacting → ~~not~~ check out process!*

S1 1442

AUGUST 1994	SEPTEMBER 1994
S M T W T F S	S M T W T F S
1 2 3 4 5 6	1 2 3 4 5 6
7 8 9 10 11 12	7 8 9 10 11 12
13 14 15 16 17 18	13 14 15 16 17 18
19 20 21 22 23 24	19 20 21 22 23 24
25 26 27 28 29 30	25 26 27 28 29 30



THURSDAY, JULY 7 1:29:12

REDACTED

10:00
15 Secret Service
30

REDACTED

REDACTED

THE WHITE HOUSE
WASHINGTON

December 13, 1993

MEMORANDUM FOR: US SECRET SERVICE PASS SECTION
FROM: WHITE HOUSE SECURITY
SUBJECT: EXTENSION OF PASSES

Please extend passes for the following individuals for the indicated time period:

NAME	EXPIRATION	TYPE OF PASS	10-DAY	90-DAY
AAMODT, Richard V.	12/19/93	TEOB		XX
AKEL, Deborah C.	12/20/93	TWHV		XX
ANDERSON, John Ward	12/16/93	TECO		XX
ANDRESS, S. Collier	12/16/93	TWHS		XX
BARTLEY, Anne	12/15/93	TWHV		XX
BATES, Melinda N.	12/16/93	TWHS		XX
BAYER, Jennifer Tara	12/19/93	TWHV		XX
BEARDSLEY, Tyler Slayton	12/16/93	TWHS		XX
BECKEL, Heather Marie	12/16/93	TWHS		XX
BOORSTIN, Robert O.	12/16/93	TWHS		XX
BROOKTER, Marie Louise	12/15/93	TVOL		XX
BROWN, Lillian B.	12/16/93	TNGS		XX
BUTLER-BUSH, Tonia D.	12/16/93	TEOB		XX
CAMERON, Rebecca Ann	12/15/93	TWHV	thru 1/31/94	
CARR, Edwin George	12/14/93	TWHV		XX
CASTAGNETTI, Ann Marie	12/15/93	TWHS		XX
CHOW, Barbara Ann	12/16/93	TWHS		XX
CHUPKA, Marc W.	12/16/93	TEOB		XX
COOPER, Claudia	12/15/93	TWHS	XX	
COTHAM, Elizabeth Jane	12/16/93	TEOB		XX
CRAWFORD, Kelly A.	12/16/93	TWHS		XX
CRUMLEY, Amanda Faith	12/16/93	TWHS		XX
CURIEL, Carolyn	12/16/93	TWHS		XX
CUSACK, Margaret Mary	12/16/93	TWHS		XX
DARBY, Melanie B.	12/16/93	TWHS		XX
DIGIACOBBE, Marilyn	12/16/93	TWHS		XX
DIMEL, Marsha Louise	12/16/93	TEOB		XX
DYK, Sally Katzen	12/18/93	TWHS		XX
EGGLESTON, W. Neil	12/16/93	TWHS		XX
ELLERTSON, Natalie A.	12/17/93	TWHS		XX
FINE, Deborah Lauren	12/16/93	TWHS		XX

FRIENDLY, Andrew	12/16/93	TWHS	XX
GEORGE, Suzanne Amelia	12/19/93	TWHV	XX
GIBBONS, John Howard	12/16/93	TWHS	XX
GIRE, Cynthia Lynne	12/16/93	TWHS	XX
GLASER, Henry Felix	12/16/93	TVOL	XX
GREENBERG, Stanley Bernard	12/20/93	TNGS	XX
HALBERT, Nikole Stephanie	12/16/93	TECO	XX
HALEY, Maria L.	12/16/93	TWHS	XX
HAWKINS, Amelia Cain	12/16/93	TEOB	XX
HERNREICH, Nancy V.	12/16/93	TWHS	XX
HOLT, Holly Hughes	12/16/93	TWHS	XX
HOLTON, Dwight Carter	12/16/93	TWHS	XX
INADOMI, LeeAnn	12/16/93	TWHS	XX
KAMENSKY, John Michael	12/16/93	TEOB	XX
KHAPRA, Yusuf Ahmed	12/15/93	TWHV	XX
KIM, Saehun	12/16/93	TEOB	XX
KING, Michael Thomas	12/15/93	TWHV	XX
KUPCHAN, Charles A.	12/16/93	TWHS	XX
LANGGARTEN, Susan Joyce	12/16/93	TEOB	XX
LAUGHLIN, Keith Eugene	12/14/93	TEOB	XX
LI, Gordon	12/16/93	TWHS	XX
LINDAHL, Virginia Holmes	12/20/93	TWHV	XX
MAGAZINER, Ira Charles	12/16/93	TWHS	XX
MARSHALL, Capricia P.	12/16/93	TWHS	XX
MATSUI, Doris O.	12/16/93	TWHS	XX
MATTHEWS, Sonyia	12/16/93	TEOB	XX
MATTIES, Doug Robert	12/16/93	TWHV	XX
MCAFEE, Floydetta M.	12/16/93	TWHS	XX
MCCREARY, Doris Anita	12/16/93	TEOB	XX
MCLEES, Catherine C.	12/18/93	TEOB	XX
MOFFETT, Julia	12/14/93	TWHS	XX
O'LOUGHLIN, Katherine	12/20/93	TWHS	XX
PAYNE, Lawrence Martin	12/17/93	TWHV	XX
PETERSON, Karen Williams	12/20/93	TWHV	XX
REED, Jeffrey Alan	12/14/93	TEOB	XX
REICH, Emily Rebecca	12/15/93	TWHV	XX
RUDNICK, Marc J.	12/15/93	TWHV	XX
SHEA, Maureen Townsend	12/16/93	TVOL	XX
SMITH, Barbara Jeanne	12/14/93	TNGS	XX
SMITH, Diane Marie	12/18/93	TWHS	XX
STEINBERG, Donald K.	12/16/93	TWHS	XX
STEPHANPOULOS, George	12/19/93	TWHS #Bea 1/03	XX 93 days
SUGGS, Elbert	12/17/93	TVOL	XX
TIBBETTS, Geoffrey L.	12/15/93	TWHV	XX
WAGNER, Regina Barbara	12/14/93	TNGS	XX

THE WHITE HOUSE
WASHINGTON

November 29, 1993

MEMORANDUM FOR: US SECRET SERVICE PASS SECTION
FROM: WHITE HOUSE SECURITY
SUBJECT: EXTENSION OF PASSES

Please extend passes for the following individuals for the indicated time period:

NAME	Exp.	Pass Type	10 Days	90 Days
ALSTON, Mildred C.	12/4/93	TWHS		XX
ANDERSON, Joanne M.	12/2/93	TEOB	XX	
ANDRES, Janet Stoddard	12/2/93	TOGA		XX
AOUDE, Anthony M.	12/2/93	TWHV		XX
BALDIA, Christian Michael	12/1/93	TEOB		XX
BELLANTI, Jacqueline	12/4/93	TWHV		XX
BERNSTEIN, Elizabeth A.	12/2/93	TWHS	XX	
BITTERMAN, Jordon Ross	12/1/93	TWHV		XX
BOWYER, Elizabeth C.	12/2/93	TWHS	XX	
BUENO, Edgar Dennis	12/2/93	TWHS		XX
CAPLAN, Phillip Mark	12/2/93	TWHS		XX
CARVILLE, James	12/2/93	TNGS		XX
CASTLETON, Thomas Edward	12/1/93	TWHS		XX
CERRELL, Joseph Walter	12/2/93	TWHS		XX
CHAMPAGNE, Florence	12/2/93	TWHS		XX
COLON, Luis Francisco	12/1/93	TWHV		XX
CRAMER, Dwight M.	12/7/93	TWHV		XX
CURTIS, Emily Jane	12/2/93	TEOB		XX
DALEY, William Michael	12/3/93	TWHS		XX
DINWIDDIE, Jacquelyn S.	12/3/93	TOGA		XX
DUDLEY, Jennifer Dawn	12/2/93	TWHS		XX
EPSTEIN, Thomas Stuart	12/2/93	TWHS		XX
EPSTEIN, Arnold Michael	11/30/93	TEOB	XX	
FAIRMAN, Jean Barnby	11/30/93	TVOL		XX
FEAVER, Peter Douglas	11/30/93	TWHS		XX
FLOYD, Jami	12/7/93	TEOB		XX
GARNER, Charles Hubert	11/30/93	TEOB		XX
GEARAN, Mark Daniel	12/2/93	TWHS		XX
GERGEN, David R.	12/4/93	TWHS		XX
GILLILAND, Lucia Flowers	11/30/93	TWHV		XX

started Jan 93
started June 93

GRUNWALD, Madeline	12/2/93	TNGS		XX
HAHN, Andrew H.	12/2/93	TWHS	XX	
HALL, Sheryl Lynn	12/2/93	TWHS		XX
HANLIN, Kirk Travis	12/1/93	TWHV		XX
HATTOY, Robert Keith	12/2/93	TEOB		XX
HOPKINS, Kimberly Jane	12/2/93	TEOB		XX
HOPPER, Kimberly Stewart	12/2/93	TWHS		XX
JOLLEY, Jocelyn	12/2/93	TWHS	XX	
KAMARCK, Elaine	12/2/93	TWHS		XX
KENNEDY, Sharon	12/2/93	TWHS		XX
KRISTOFF, Sandra Jeanne	12/4/93	TWHS		XX
KYLE, Robert Dixon	12/2/93	TWHS		XX
LABUDA, Laurie Lynne	12/2/93	TWHS		XX
LADER, Philip	12/2/93	TWHS	XX	
MANCINI, Sandra Katherine	12/2/93	TEOB		XX
MCCARTHY, Jennifer	12/2/93	TWHS	XX	
MCGUIRE, Kara Marie	12/2/93	TWHS	XX	
MCHUGH, Patricia Ann	12/2/93	TWHS		XX
MILLER, Jennifer Beth	12/2/93	TWHS		XX
MILLS, Cheryl Denise	12/2/93	TWHS		XX
MOGER, Heather Suzanne	11/30/93	TEOB		XX
MORTMAN, Lisa Nicole	12/2/93	TWHS		XX
MYERS, Samuel Allen	12/2/93	TWHS	XX	
NIBLOCK, John Franklin	11/30/93	TWHS		XX
PAPPAS, Peter C.	12/2/93	TWHS		XX
PIANALTO, Antonella	12/2/93	TWHS	XX	
PIERCE, Melba C.	12/2/93	TVOL		XX
PIERCE, Dianna A.	12/4/93	TWHS		XX
RAMOS, Johanna J.	12/2/93	TEOB		XX
ROBBINS, Jonathan David	12/2/93	TVOL	XX	
ROBYN, Dorothy	12/2/93	TWHS	XX	
ROSS, Heather Louise	12/2/93	TWHS		XX
ROTH, Kathryn Gaie	12/2/93	TWHS		XX
RYAN, Sarah Farnsworth	12/2/93	TWHS		XX
SCOTT, Marsha	12/2/93	TWHS		XX
SHIMBERG, Janet Rose	12/2/93	TEOB		XX
SLOAN, Clifford M.	12/2/93	TWHS		XX
SMITH, Margaret Patricia	12/2/93	TWHS		XX
SMITH, Jennifer Paddon	12/2/93	TEOB		XX
STEFANOPOULOS, Helen M.	12/2/93	TEOB		XX
STIGLITZ, Joseph Eugene	12/2/93	TWHS	XX	
TARMEY, Marjorie C.	12/2/93	TEOB		XX
TEAGUE, Jeffrey Leonard	12/2/93	TEOB		XX
THORNTON, Tracey E.	12/2/93	TWHS		XX
VELASQUEZ, Joe	11/30/93	TWHS	XX	
VON LIPSEY, Roderick K.	12/1/93	TWHS		XX
WALKER, Grace B.	12/7/93	TVOL		XX
WATKINS, Ileene R.	12/7/93	TNGS	XX	
WEAVER, Gwendolyn N.	12/2/93	TWHS		XX
WEINSTEIN, Paul J. Jr.	12/2/93	TWHS		XX
WILKIE, Curtis Carter	12/1/93	TWHS	XX	
WINKLER, Alberta A.	12/2/93	TWHS		XX
ZELMAN, Walter Arnold	12/1/93	TEOB		XX
ZOI, Catherine Radford	12/2/93	TWHS		XX

THE WHITE HOUSE
WASHINGTON

November 1, 1993

MEMORANDUM FOR: US SECRET SERVICE PASS SECTION
FROM: WHITE HOUSE SECURITY
SUBJECT: EXTENSION OF PASSES

Please extend passes for the following individuals for the indicated time period:

NAME	Exp.	Pass Type	30 Days	90 Days
ADAMS, Ashley Kristen	11/3/93	TWHV		XX
ALEXANDER, Anne Davis	11/7/93	TEOB		XX
ARMENTROUT, Jean Waybright	11/3/93	TEOB		XX
BEGALA, Paul Edward	11/7/93	TNGS		XX
CAREY, Paul Robert	11/2/93	TWHS		XX
CASHIN, Sheryll Denise	11/2/93	TWHS		XX
CATTALINI, Ann Marie	11/6/93	TWHS		XX
CERDA, Jose III	11/2/93	TWHS		XX
CHRISTOPHERSON, Gary A.	11/5/93	TWHS		XX
CLAUSSEN, Eileen Barbara	11/2/93	TWHS		XX
CORNELIUS, Catherine Ann	11/2/93	TWHS		XX
CRISPELL, Thomas Glenn	11/6/93	TWHS		XX
DRAPER, Amanda Carole	11/3/93	TEOB		XX
EMERSON, Edward Homer III	11/5/93	TWHS		XX
FRYER, Dianne Bentley	11/6/93	TEOB		XX
GWIN, Holly Louise	11/3/93	TWHS		XX
HANDFORD, Charles B.	11/3/93	TWHS		XX
HUNKER, Mark Edward	11/3/93	TEOB		XX
JOHNS, Lionel Skipwith	11/3/93	TWHS		XX
KAPLAN, Dina Rebecca	11/7/93	TEOB		XX
KENNEY, Kristie Anne	11/2/93	TWHS		XX
KLAIN, Ronald Alan	11/3/93	TWHS		XX
LATTIMORE, G. Neel	11/3/93	TWHS		XX
LEHRMAN, Robert Allan	11/3/93	TWHS		XX
LEWIS, Reta Jo	11/3/93	TWHS		XX
LIGON, David Albert	11/8/93	TEOB		XX
MACDONALD, Marlene Ann	11/4/93	TWHV		XX
MARCECA, Anthony Burton	11/8/93	TWHS		XX
MEYER, Paul Hoogner	11/3/93	TWHS		XX
MCPARTLIN, Brian James	11/6/93	TWHS		XX

NORTHCUTT, Patricia M.	11/3/93	TWHS	XX
O'DONNELL, Thomas Patrick	11/3/93	TWHS	XX
O'KEEFE, Kevin Michael	11/2/93	TWHS	XX
OWENS-KIRKPATRICK, Barbro	11/4/93	TWHS	XX
PRUNTY, Meeghan E.V.	11/8/93	TWHS	XX
RICE, Susan Elizabeth	11/6/93	TWHS	XX
SARMIENTO, Jessamyn Doris	11/8/93	TWHS	XX
SATTERFIELD, Lee Ann	11/6/93	TWHS	XX
SEIDMAN, Ellen Shapiro	11/7/93	TWHS	XX
SHADDIX, Billie Bert	11/3/93	TWHS	XX
SINGER, Sherry L.	11/3/93	TVOL	XX
SKINNER, C. Wayne	11/4/93	TWHS	XX
SOLOMON, Caren Leslie	11/3/93	TWHS	XX
TATE-ALLISON, Donna Sue	11/2/93	TEOB	XX
TAYLOR, Claude Alexei	11/8/93	TWHS	XX
TILLEY, Kimberly Helen	11/2/93	TWHS	XX
TORKELSON, Jodie Rae	11/6/93	TWHS	XX
TROWBRIDGE, Eleanor H.	11/6/93	TWHV	XX
VANDECAR, Karen Jean	11/7/93	TWIL	XX
VANGIESEN, Kristopher M.	11/6/93	TWHS	XX
WALKER, Linda Sue	11/6/93	TEOB	XX
WAY, Kathryn Johnson	11/2/93	TWHS	XX
WEXLER, Daniel Robert	11/2/93	TWHS	XX
WIEDEMANN, Kent Mans	11/4/93	TWHS	XX
ZELENKO, Barbara Rose	11/2/93	TVOL	XX

THE WHITE HOUSE
WASHINGTON

October 25, 1993

MEMORANDUM FOR: US SECRET SERVICE PASS SECTION
FROM: WHITE HOUSE SECURITY
SUBJECT: EXTENSION OF PASSES

Please extend passes for the following individuals for the indicated time period:

NAME	EXP.	PASS TYPE	30 DAYS	90 DAYS
ALLAN, Jennifer Ann	10/28/93	TWHS	XX	
ANDERSON, Mari Lynn	10/30/93	TWHS		XX
BALDIA, Christian M.	11/1/93	TEOB	XX	
BENAVIDES, Eugene V.	10/26/93	TEOB		XX
BURGOS, Carlos A.	10/29/93	TEOB		XX
CARVER, Holly D.	11/1/93	TWHS		XX
CASTLETON, Thomas E.	11/1/93	TWHS	XX	
DAVIS, Samuel	10/26/93	TEOB		XX
DAWSON, John F.	10/26/93	TWHS		XX
DEAL, Elise	10/31/93	TEOB		XX
DONIGER, David D.	10/28/93	TEOB		XX
DRAKE, Mary K.	11/1/93	TNGS		XX
DREW, K	10/30/93	TVOL		XX
ENRIGHT, Susan Mary	10/26/93	TEOB	XX	
EPSTEIN, Arnold M.	10/31/93	TEOB	XX	
FELDMAN, Michael B.	11/1/93	TWHS		XX
FRIED, Daniel	10/30/93	TWHS		XX
GORHAM, Deborah L.	10/27/93	TWHS	XX	
GROTE, Sara Chase	10/29/93	TWHS	XX	
HAGGARD, Frederick C.	10/29/93	TEOB		XX
HARRIS, Skila S.	10/26/93	TWHS		XX
HOTHEN, Eric Paul	10/27/93	TWHS		XX
HOUCK, Baerbel K.	10/26/93	TEOB		XX
HYDE, Dana Joy	10/28/93	TWHS		XX
JOHNSON, Roger W.	10/27/93	TWHS		XX
KRECZKO, Alan James	10/29/93	TWHS		XX
LEE, Simon Un	10/30/93	TEOB	XX	
LEWANDOWSKI, Timothy	10/29/93	TCON		XX
LIVINGSTONE, D. Craig	10/26/93	TWHS		XX
MALDON, Alphonso Jr.	10/26/93	TWHS		XX

MARSH, Christian L.	10/29/93	TWHS		XX
MILLER, Lorraine C.	10/26/93	TWHS		XX
MILLER, Paul Steven	10/26/93	TEOB		XX
MCKIERNAN, Kathleen M.	10/29/93	TWHS		XX
NISHIKAWA, Wendy A.	10/26/93	TWHS	XX	
NIDES, Thomas R.	10/27/93	TWHS		XX
NORMAN, Marcia G.	10/29/93	TEOB		XX
PLUMMER, David Lee	10/27/93	TEOB		XX
REYNOLDS, Cheryl	10/30/93	TWHS		XX
RIVLIN, Alice M.	10/27/93	TWHS		XX
ROSENBAUM, Sara	10/30/93	TWHS	XX	
SCHIFTER, Richard	10/30/93	TWHS		XX
SELDIN, David Ezra	10/29/93	TWHS		XX
SHEORN, Douglas S.	10/29/93	TEOB		XX
STRUNCE, Lois T.	10/26/93	TVOL		XX
THOMASSON, Patsy Lee	11/1/93	TWHS		XX
TIPTON, Elizabeth J.	10/26/93	TEOB		XX
TREVELYAN, Stuart E.	10/27/93	TWHS		XX
VADEN, Erich Davis	10/26/93	TWHS		XX
VALDEZ, Suzanna A.	10/29/93	TWHS		XX
VELASQUEZ, Joe	10/30/93	TWHS	XX	
WASHINGTON, Jacqueline	10/26/93	TWHS	XX	
WETZL, Lisa Susanne	10/29/93	TWHS		XX
WILKIE, Curtis C.	11/1/93	TWHS	XX	
WOOD, Debra Susan	10/26/93	TWHS		XX
ZELMAN, Walter A.	11/1/93	TEOB	XX	

THE WHITE HOUSE
WASHINGTON

October 18, 1993

MEMORANDUM FOR: US SECRET SERVICE PASS SECTION
FROM: WHITE HOUSE SECURITY
SUBJECT: EXTENSION OF PASSES

Please extend passes for the following individuals for the indicated time period:

NAME	EXP.	PASS TYPE	10 DAYS	20 DAYS
ALPERT, Dennis W.	10/22/93	TWHS		XX
BAILEY, James Hudson	10/19/93	TWHS		XX
BAKER, Kyle Marvin	10/22/93	TEOB		XX
BAUER, Gayle	10/21/93	TVOL		XX
BELSKY, David	10/23/93	TEOB		XX
BLINDER, Madeline Donna	10/20/93	TVOL		XX
BOBECK, Joshua Michael	10/25/93	TEOB	XX	
BROPHY, Susan Anne	10/19/93	TWHS		XX
BURKEEN, Jeffrey V.	10/24/93	TEOB	XX	
BURNS, Tara Lee	10/19/93	TWHS		XX
CAPUTO, Lisa Maria	10/21/93	TWHS		XX
CARMALT, Merrill Everett	10/24/93	TECO	XX	
CATAPANO, Matthew H.	10/21/93	TVOL		XX
CAUDILL, George Gray Jr.	10/23/93	TEOB	XX	
CERDA, Clarissa	10/19/93	TWHS		XX
COBLEIGH, Christopher M.	10/24/93	TEOB	XX	
CONROY, Mary Ryan	10/22/93	TWHS	XX	
COOPER, Michael John	10/21/93	TEOB		XX
CRESSMAN, John Woodrow	10/19/93	TWHS		XX
CUTTER, W. Bowman	10/19/93	TWHS		XX
EASTON, Joseph John	10/22/93	TEOB		XX
EDWARDS, Anne Mary	10/22/93	TWHS		XX
ELLER, Jeffrey Lee	10/20/93	TWHS		XX
EMANUEL, Rahm Israel	10/22/93	TWHS		XX
EMERSON, John Bonnell	10/23/93	TWHS		XX
FRENCH, Cooper Michael	10/19/93	TEOB		XX
FUERTH, Leon Sigmund	10/19/93	TWHS		XX
GALSTON, William Arthur	10/21/93	TWHS		XX
GARTEN, Arlyne Katz	10/21/93	TVOL		XX
GOODMAN, John B.	10/19/93	TEOB	XX	

GREENBERG, Susan R.	10/20/93	TVOL		XX
HALE, Marcia Lee	10/19/93	TWHS		XX
HENDRICKS, Lori Ann	10/20/93	TWHV	XX	
HERMAN, Alexis Margaret	10/20/93	TWHS	XX	
HILTON, Steven Michael	10/22/93	TWHS	XX	
HOOVER, Jay Wendell	10/25/93	TEOB	XX	
HUBER, Carolyn Jean	10/25/93	TWHS	XX	
JENNINGS, Christopher C.	10/22/93	TEOB		XX
KATZ, Randy Howard	10/21/93	TWHS		XX
KEYSER, Stephney Jean	10/19/93	TVOL		XX
KLEIN, Elli	10/21/93	TVOL		XX
LAKE, Anthony	10/20/93	TWHS		XX
LAVINE, Susan E.	10/21/93	TNGS	XX	
LAWLER, Gregory Edward	10/23/93	TEOB		XX
LENT, Patrick G.	10/25/93	TEOB	XX	
LIEBER, Matthew A.	10/22/93	TEOB		XX
LINDENMUTH, Elisabeth L.	10/23/93	TEOB		XX
LINDAHL, Susan Debra	10/21/93	TECO	XX	
LINDSEY, Bruce Robert	10/20/93	TWHS		XX
LUX, Michael Scott	10/19/93	TWHS		XX
MADDREY, Edwin E. III	10/25/93	TEOB	XX	
MARABETI, Heather M.	10/24/93	TWHS		XX
MARSHALL, Thurgood Jr.	10/21/93	TWHS		XX
MARTIN, Rebecca Brand	10/21/93	TVOL	XX	
MCCONAGHA, Barbara A.	10/21/93	TWHV		XX
MCDERMOTT, John D.	10/25/93	TWHV		XX
MCGIFFERT, Carola H.	10/23/93	TWHS		XX
MCGINTY, Kathleen Alana	10/21/93	TWHS		XX
MCLARTY, Thomas Franklin	10/20/93	TWHS		XX
MCLAUGHLIN, Linda Jean	10/23/93	TWHS		XX
MIDDLETON, Mark Edward	10/20/93	TWHS		XX
MILLER, Mark Richard	10/19/93	TWHS		XX
MONAGAN, Rosemary B.	10/23/93	TVOL		XX
MOORE, Linda Lea	10/22/93	TWHS	XX	
MOY, Ruby Ginger	10/24/93	TWHS	XX	
MULLENS, Monica Helga	10/23/93	TEOB		XX
MYERS, Margaret Jane(DEE DEE)	10/20/93	TWHS	XX	
NEEL, Roy Meeks	10/19/93	TWHS		XX
NYSTROM, William L.	10/21/93	TECO	XX	
PAINTER, Jill Anne	10/21/93	TWHV		XX
PANETTA, Leon Edward	10/22/93	TWHS		XX
PASTER, Howard George	10/19/93	TWHS		XX
PITMAN, James Norton	10/20/93	TWHS		XX
PODESTA, John David	10/19/93	TWHS		XX
PRICHARD, Beth	10/22/93	TWHS		XX
QUINN, John Michael	10/21/93	TWHS		XX
RASCO, Carol Hampton	10/20/93	TWHS		XX
REED, Bruce Nelson	10/19/93	TWHS		XX
REED, James William	10/21/93	TWHS		XX
RICCHETTI, Steven J.	10/19/93	TWHS		XX
ROMASH, Marla Ellen	10/22/93	TWHS		XX
RUBIN, Robert Edward	10/19/93	TWHS		XX
SATTERFIELD, David M.	10/21/93	TWHS		XX
SCHROEDER, Robert W. III	10/22/93	TWHS		XX

SEIDMAN, Ricki Lynn	10/23/93	TWHS	XX	
SEVIGNY, Theodore T. Jr.	10/22/93	TWHS		XX
SIMON, Gregory Charles	10/19/93	TWHS		XX
SLIFKA, Robert Scott	10/22/93	TWHS		XX
SMITH, Bradley Morgan	10/23/93	TWHS	XX	
SMITH, Craig Thomas	10/21/93	TNGS		XX
SMITH, Wendy Leigh	10/23/93	TWHS	XX	
SODERBERG, Nancy E.	10/20/93	TWHS		XX
SOLIS, Patricia	10/20/93	TWHS	XX	
SPERLING, Gene B.	10/19/93	TWHS		XX
STARR, Paul Elliot	10/19/93	TEOB		XX
STEVENSON, Martha Ann	10/21/93	TECO	XX	
TAPIA, Isabelle R.	10/19/93	TWHS		XX
TAYLOR, Mildred E.	10/24/93	TEOB	XX	
VARNEY, Christine Anne	10/19/93	TWHS		XX
VERVEER, Melanne	10/22/93	TWHS	XX	
WALKER, Ann Fairfax	10/22/93	TWHS	XX	
WALKER, Anne Shelare	10/21/93	TWHS		XX
WATKINS, David	10/19/93	TWHS		XX
WATSON, Jeffrey Howard	10/19/93	TWHS		XX
WHITMAN, Sarah Hoit	10/20/93	TEOB	XX	
WILLIAMS, Margaret Ann(Maggie)	10/23/93	TWHS	XX	
WOLIN, Neal Steven	10/21/93	TWHS		XX
YOUKET, Paul William	10/23/93	TVOL		XX
ZISOOK, Amy Joan	10/19/93	TWHS		XX

THE WHITE HOUSE

WASHINGTON

October 11, 1993

MEMORANDUM FOR: US SECRET SERVICE PASS SECTION

FROM: WHITE HOUSE SECURITY

SUBJECT: EXTENSION OF PASSES

Please extend passes for the following individuals for the indicated time period:

NAME	EXP. DATE	PASS TYPE	60 DAYS	90 DAYS
ALEXANDER, Dawn A.	10/17/93	TWHS		XX
ALSWANG, Ralph	10/16/93	TWHS	Ext. 30 days	
ANDERSON, David Bruce	10/12/93	TWHS		XX
AVENT, Loretta T.	10/17/93	TWHS		XX
BARBOUR, Gaylen Sue	10/17/93	TEOB		XX
BARNETT, Pamela C.	10/17/93	TWHS		XX
BERGER, Samuel Richard	10/17/93	TWHS		XX
BROWN, Lee Patrick	10/18/93	TWHS		XX
BURKHARDT, Daniel W.	10/17/93	TWHS	Ext. 30 days	
CHITESTER, Kenneth R.	10/16/93	TWHS		XX
CLARK, Peggy Ann	10/17/93	TEOB	Ext. 30 days	
COHEN, Steven Allan	10/17/93	TWHS		XX
COHN, Alan Jay	10/18/93	TWHS		XX
COHRSEN, John J.	10/17/93	TEOB		XX
COTTINGHAM, David	10/12/93	TEOB		XX
CRAIGHEAD, Kelly S.	10/17/93	TWHS		XX
DICKEY, Robyn G.	10/18/93	TWHS		XX
EDELSTEIN, Steven C.	10/17/93	TEOB		XX
ENGSKOV, Paul Kristian	10/17/93	TWHS	Ext. 30 days	
FITZRANDOLPH, Laura E.	10/17/93	TWHS	Ext. 30 days	
FLYNN, Timothy John	10/17/93	TWHS		XX
FOWLER, Carmen R.	10/12/93	TWHS		XX
FRIEDKIN, Dawn M.	10/18/93	TWHS		XX
GAINES, Jeremy M.	10/17/93	TWHS		XX
GIBSON, Kumiki San	10/15/93	TWHS		XX
GREENSTONE, Jody Ann	10/17/93	TWHS	Ext. 30 days	
HAMER, Bernice Davis	10/13/93	TWHV		XX
HARRIS, Elisa D.	10/12/93	TWHS		XX
HEENAN, Christine M.	10/17/93	TWHS		XX
HORN, Stephen Karl	10/13/93	TWHS	Ext. 30 days	
INDYK, Martin Sean	10/16/93	TWHS		XX
JORDAN, Ann Dibble	10/13/93	TWHV	Ext. 30 days	
KANTOR, Michael	10/18/93	TWHS		XX
KELLY, Erin Coralie	10/18/93	TWHS		XX

KENNEDY, William H. III	10/17/93	TWHS		XX
LESTER, Patrick William	10/15/93	TWHS	Ext. 30 days	
LEVINE, Anne Louise	10/18/93	TWHS		XX
LEVITT, Lawrence Russell	10/17/93	TEOB		XX
LEW, Jacob Joseph	10/12/93	TWHS		XX
LUFRAÑO, Michael R.	10/17/93	TWHS		XX
MARGHERIO, Lynn Marie	10/17/93	TWHS	Ext. 30 days	
MARKUS, Kent Richard	10/15/93	TNGS	Ext. 30 days	
MAYS, Cathy Rountree	10/12/93	TWHS		XX
MCILVAIN, Joan Wimberly	10/17/93	TVOL	Ext. 30 days	
NESLEN, David William	10/12/93	TWHS		XX
NEWELL, Timothy Leland	10/12/93	TWHS		XX
NOLAN, Beth	10/17/93	TWHS		XX
NUSSBAUM, Bernard W.	10/16/93	TWHS		XX
RABINOWITZ, Steve	10/16/93	TWHS	Ext. 30 days	
RATHBONE, Lynda Sue	10/18/93	TWHS		XX
RICHARD, R. Paul	10/16/93	TWHS		XX
RUESCHEMEYER, Simone M.	10/17/93	TEOB		XX
SCHIFF, Debra Anne	10/18/93	TWHS		XX
SEBA, Sondra Lee	10/15/93	TWHS		XX
SEIBERT, Robert David	10/12/93	TEOB	Ext. 30 days	
SHEARER, Brooke L.	10/12/93	TWHS		XX
SILVERMAN, Stephen B.	10/17/93	TWHS		XX
STOCK, Judith Ann	10/18/93	TWHS		XX
STONE, Alan James	10/13/93	TWHS		XX
STRAUSS, Richard L.	10/12/93	TWHS		XX
STRONG, Donsia Renee	10/14/93	TWHS	Ext. 30 days	
TOIV, Barry Jay	10/12/93	TWHS		XX
TURNER, Joe Thornton III	10/12/93	TWHS		XX
WALDEN, Frances Erma	10/14/93	TEOB		XX
WELLFORD, Susannah B.	10/17/93	TEOB		XX
WEINTRAUB, Philip Leo	10/12/93	TEOB		XX
WILLEY, Kathleen E.	10/16/93	TWHV		XX
WILLIAMS, Jamie Sue Shell	10/17/93	TWHS		XX

Mr. PETERSON. And it just seems to me that we have a situation here, I don't know who made these decisions, but a problem that I have encountered. And I have been in the computer business, I have dealt with these data bases, and we run into these problems all the time, even in the private sector.

So, you know, hopefully your folks down there will take a look at this whole situation because of what has happened here and make some changes, and I would like to come down and take a look——

Mr. LIBONATI. We would welcome that, sir.

Mr. PETERSON [continuing]. At what you are doing just for my own benefit.

Do either—Mr. Kanjorski, do you still have a question? I yield to you.

Mr. KANJORSKI. Going back to the meeting of the notes Mr. Peterson put in, were you or any of the people at the table at that meeting in July 1994?

Mr. LIBONATI. I would not have been, sir. I don't know about my colleagues.

Mr. UNDERCOFFER. I was at one meeting with the data systems and some of the personnel management people.

Mr. KANJORSKI. Was that called by the White House to meet with the Secret Service in regard to the failure of these systems?

I have an agenda here. It calls the fact they are trying to find out why James Baker is still on the list in July 1994 and then they say solutions. Send separation reports biweekly from personnel, personnel files and Secret Service file agency. Different reports. Social security number and discrepancies and reports, security of White House. Review entire list, and did 1 year ago, and that they ran into all of these problems and confusion and apparently some people that weren't on the list.

Interesting enough, Donna Shalala, she didn't come to the White House?

Mr. LIBONATI. Sir, given any name, I couldn't answer it today. But if you have any name you want to check as to active or inactive status——

Mr. KANJORSKI. You were at the meeting. Do you recall that they called your attention to the two cabinet—the Administrator of the GSA and the wife of the Chief of Staff were not on the pass list and they were wondering what was the failure of this system to have a pass of access issued to them?

Mr. COLE. I don't believe the wife of the Chief of Staff had a pass. They may have been talking about an access list, which is different from the pass holders list, at that meeting. I mean, we would have to really look at what they are talking about here, because there are various issues that come up concerning access to the White House, not all of them——

Mr. KANJORSKI. But you were at the meeting. It wasn't correct that the White House personnel were raising with the Secret Service the failure of this WAVES system that it wasn't working well and they wanted a better coordinated effort to try to weed out active and inactive and people who were active at the White House who should have been on the list that weren't on the list?

Mr. UNDERCOFFER. Sir, the main agenda of that meeting was, the Office of the Executive Office of the President data systems wanted us to transfer our WAVES pass holder information to them in diskette format so that they could use it to reconcile their payroll records to reconcile their personnel records. I represented the Secret Service.

Mr. KANJORSKI. Exactly. They were having difficulty in July 1994?

Mr. UNDERCOFFER. If you will allow me to finish, please, I informed them at this meeting that our pass holder data base was not to be used for the express purposes of them reconciling their payroll records or personnel records, that that was a pass holder data base. I also stated that I was aware that we had some problems——

Mr. KANJORSKI. I just want to——

Mr. CLINGER. The gentleman's time has expired. You may complete the answer.

Mr. UNDERCOFFER. I stated that I was well aware that there was 10 to 12 instances where I knew E-PASS information was not passed over to WAVES, and if the meeting happened in June, I remember one earlier, prior to Easter; if it did happen in June, that the problem was fixed by then.

Mr. CLINGER. The gentleman's time has expired. The Chair now recognizes the gentleman from Massachusetts, Mr. Blute.

Mr. BLUTE. I commend you for holding these important hearings. I think there are still many unanswered questions that we are looking for answers for.

With that I yield the balance of my time to our distinguished chairman.

Mr. CLINGER. Thank you for yielding to me. I have questions on a somewhat different issue that I think that you gentlemen can be helpful with.

There has been a lot of speculation in the press and elsewhere that there was a great deal of difficulty in getting individuals cleared with the new administration when they came in, and there was a long delay and various holdups with getting the personnel who were being brought into the new administration cleared for access to the White House.

I have a set of approximately six memos that were addressed to the Secret Service, one from White House Security, and I believe the minority has all of these documents. They are Bates stamped CGE 47029, 48032, 48037, 48039, 47041 and 47044. Each of these memos from the White House to the Secret Service was dated during 1993, and each one of them is a request for a list of names of White House staff, that they receive an extension of passes.

My question to you, Mr. Libonati, is in looking at these memos, can you explain to the committee the process of securing an extension of passes, and what was the reason for the request for extension, what kind of pass was being extended at the time that you would receive these memos?

Mr. LIBONATI. Mr. Chairman, I could answer that generally, but if I could defer to my colleagues that were working there at the time, they might better address the question.

Mr. COLE. Basically they requested an extension of a temporary pass.

Mr. CLINGER. So these were all requests for extensions of temporary passes?

Mr. COLE. That is correct.

Mr. CLINGER. So on December 13, almost 11 months into the new administration, there is a memo of December 13, 1993, and on the second page of that memo I note that George Stephanopoulos is listed to have his pass extended. Does this mean that Mr. Stephanopoulos still had a temporary pass in December 1993?

Mr. COLE. That is correct.

Mr. CLINGER. I believe Mr. Stephanopoulos began working in the White House, as you have indicated, January 20 at noon; isn't that correct?

Mr. COLE. Yes.

Mr. CLINGER. At the beginning of the administration?

Mr. COLE. Yes, sir.

Mr. CLINGER. So would this be a request then to extend his temporary pass, again about 11 months after he came to the White House, for a 90-day period, which would have extended his temporary pass then until March 1994?

Mr. COLE. That is correct.

Mr. CLINGER. My understanding is that a White House staffer could not get his or her permanent pass until all paperwork of his was in and until the White House Counsel's Office had made a decision which you described to request permanent pass status to the Secret Service.

Mr. COLE. That is correct.

Mr. CLINGER. So then do you know if the White House Counsel's Office had forwarded Mr. Stephanopoulos's FBI background investigation summary to the Secret Service for adjudication by December 1993?

Mr. COLE. In general, we did not start receiving the bulk of the White House staff background investigations until early in 1994.

Mr. CLINGER. You began to receive background information early in 1994?

Mr. COLE. Yes, and we did receive some in November 1993.

Mr. CLINGER. From the Counsel's Office?

Mr. COLE. Yes.

Mr. CLINGER. How long did the Secret Service normally take to make an adjudication of an individual after the White House Counsel's Office recommended they get a permanent pass?

Mr. COLE. The normal turnover would be 3 or 4 days.

Mr. CLINGER. So it is a very rapid turnover, then, once you had clearance from the Counsel's Office?

Mr. COLE. Yes.

Mr. CLINGER. So if the FBI has completed the background investigation and then had forwarded information to the White House Counsel's Office for a decision, any delay that would result in receiving a permanent pass would not be due to the Secret Service's failure to adjudicate these summaries, would it?

Mr. COLE. That is correct.

Mr. CLINGER. When people did not complete their forms, such as the SF-86, for 100 days, and we understand that was fairly rou-

tine, that the delay was up to and exceeding 100 days after they began in the White House, can you and the Secret Service do anything to adjudicate that person's background or get them a permanent pass?

Mr. COLE. No.

Mr. CLINGER. You can't do that without the SF-86?

Mr. COLE. The SF-86 was not part of our requirement.

Mr. CLINGER. I understand, but it is part of the process resulting in a recommendation from the Counsel's Office that you approve this, right?

Mr. COLE. I am speculating on what their administrative paperwork process is, but our requirement for anyone in the White House to issue a permanent pass is that we have a background investigation.

Mr. CLINGER. You do that in 3 or 4 days?

Mr. COLE. The turnaround is normally 3 to 4 days.

Mr. CLINGER. I notice that Bernard Nussbaum also needed a 90-day pass extension to extend his temporary pass to January 1994, and this is listed in the October 11, 1993 memo to the Secret Service. Does this also mean that Bernard Nussbaum had not received his permanent pass as of October 1993, about 10 months after the new administration came in?

Mr. COLE. That is correct.

Mr. CLINGER. And on October 18, 1993, on a pass extension memo, Mack McLarty still needed to have his temporary pass extended on October 20, 1993 for another 90 days; is that correct?

Mr. COLE. That is correct.

Mr. CLINGER. Do you know if Mr. McLarty's paperwork and White House Counsel's recommendation for a permanent pass had been sent to the Secret Service prior to that time?

Mr. COLE. I believe it was not sent to Secret Service prior to that time.

Mr. CLINGER. So in other words, you could not act on those for a permanent pass because you had not received that information?

Mr. COLE. That is correct.

Mr. CLINGER. I yield to—my time has expired—the gentlelady from Illinois, Mrs. Collins.

Mrs. COLLINS. Mr. Chairman, I want the record to be clear about one matter that was raised today, and that is that Mr. Marceca did not testify that he saw the "A" and "I" designations on the list, and believing "I" to mean "intern" nonetheless requested the files.

In Mr. Marceca's deposition, on page 145 he was asked, and is it correct that you do not recall seeing the letter "I" or "A" next to the names that were on the list? His answer was, that is correct.

On page 166 Mr. Marceca was asked, do you recall whether the list included the letters "A" and "I"? And his answer was, I do not recall that.

He was subsequently asked, have you ever heard of a designation on any of these lists for which "A" and "I" would mean anything? His answer was, to my knowledge, "A" meant "access"; "I" meant "intern."

Also, on page 145, Mr. Marceca was asked about the list he used. The question was, how was the list specifically explained to you, if it was at all, what it contained? The answer was, to the best of

my knowledge, it was imparted to me that the list has current people that needed access to the White House, end quote.

Therefore let me say that there seems to be some misstatement about what he testified to. I want the record to be clear.

I yield the remainder of my time to Mr. Kanjorski.

Mr. KANJORSKI. It seems to me that we would have to concede that there is a lot of confusion as to who worked off what list. Mr. Cole, you were there from December to the present time, I assume. You worked with these people. Didn't you ever go into the Security Personnel Office and talk with Mr. Livingstone or Mrs. Gemmell or anyone when they were working from a list?

Mr. COLE. Yes.

Mr. KANJORSKI. What kind of a list did they work from?

Mr. COLE. Craig Livingstone initially worked off of the master list, but there was a transition in that office with Jane Dannenhauer and Nancy Gemmell, and they primarily worked off an active list which was provided from our office to that office.

Mr. KANJORSKI. So when Ms. Gemmell testifies that these people that they were culling FBI records on, and said she took them off the list, that is the list that she was making the request from; is that correct?

Mr. COLE. I did not read Mrs. Gemmell's testimony, so I can't comment.

Mr. KANJORSKI. But all the times you saw her or people in that office, they were working off this green and white list that appeared to be a Secret Service list; is that correct?

Mr. COLE. Yes.

Mr. KANJORSKI. We have here maybe lists that are outdated, maybe lists that haven't been interpreted properly, whether the active is on top and people don't know whether it is active or inactive. But in your overall view here, did you sense, because you are an investigator and well-trained, did you sense a conspiratorial activity in that office to do something to interfere with people's personal rights and to be asking questions or going into matters that weren't germane to that office?

Mr. COLE. I didn't speculate anything in any manner, and I was not in any position at all to assume anything was being done wrong. My position at that time was to assist the incoming administration as much as possible in the first critical 100 days get established.

Mr. KANJORSKI. But nothing triggered anything to you that was suggestive of wrongdoing; is that correct?

Mr. COLE. Not that I recall, no.

Mr. KANJORSKI. Let me ask you something. The Secret Service, when you take your oath and you serve in someplace as close as the President's quarters or anywhere else that you are assigned to, are you under any compunction under the law not to disclose confidentiality, publish books, make statements? Are you restricted by law in some way?

Mr. COLE. Yes.

Mr. KANJORSKI. Does that law apply not only to the Secret Service, but to the FBI? I am particularly struck with this book that is out there, that has a lot of horrible things that seem to be unfounded and imaginary, that someone is reaping a great deal of

wealth from. These agents from the Secret Service that we send to the White House, are you allowed to write the most dastardly things without any substantial evidence to support those things and to cash in by publishing a book?

Mr. LIBONATI. Sir, my understanding of the law is there are restrictions certainly as it relates to security issues; and second, any document we would produce related to that would have to be reviewed by our Agency. That is my understanding, that any document we tried to publish after we left would have to be reviewed by our Agency—

Mr. KANJORSKI. But presently in the law you are not restricted from writing a book or an expose, if you will, where you would personally benefit a great deal financially and that the factual information has not been established by anyone. You are allowed to do that. So when you leave office, you can make any statement and get it published in any—

Mr. CLINGER. If the gentleman would yield, I think he said that he would have to have clearance by his Agency.

Mr. LIBONATI. Our Agency would have to review the document, as I understand it, but I would like to check with our counsel as to specific restrictions.

Mr. KANJORSKI. If you would give us an opinion from counsel.

Mr. CLINGER. The gentleman yields back his time.

I think we will recess until 1:15 in order to take this vote and also to have lunch. The committee will stand in recess until 1:15.

[Whereupon, the committee recessed to reconvene at 1:15, the same day.]

Mr. CLINGER. The Committee on Government Reform and Oversight will resume its sitting, and since they are in the chairs, at this point I am very pleased to recognize the gentleman from Virginia, Mr. Davis, for 5 minutes.

Mr. DAVIS. Thank you, Mr. Chairman.

Let me say that each of you are decorated law enforcement officials. I think you have done the Secret Service proud and law enforcement proud as well by being here today and by your records. It may not come across with all the questions asked that any foulups here were not caused by the Secret Service, but by other people acting. I think that needs to be on the record. But we appreciate you being here today. The forthrightness, and candor, and the way that you and your fellow Secret Service agents are doing the job every day, I think you do the country very proud, and I just wanted to say that.

Mr. Undercoffer, you have reviewed the background files, right?

Mr. UNDERCOFFER. Yes, sir. I have reviewed lots of background files.

Mr. DAVIS. In your review of files did you ever see tax problems?

Mr. UNDERCOFFER. Yes, sir, I have seen a few.

Mr. DAVIS. Did you ever see files of people with drug histories that went beyond minor experimentation?

Mr. UNDERCOFFER. Yes, sir I have.

Mr. DAVIS. In your deposition you said you saw approximately 30 or 40 drug-related issues?

Mr. UNDERCOFFER. That is correct.

Mr. DAVIS. Did those go beyond minor experimentation?

Mr. UNDERCOFFER. To be specific, I said 30 or 40 beyond minor experimentation.

Mr. DAVIS. Thank you.

Mr. Cole, since you were head of the Access Control Branch, let me ask you, were there ever particular files that you opposed the issuance of a permanent pass?

Mr. COLE. Initially, yes.

Mr. DAVIS. So the White House Counsel's Office, in particular, I think, Bill Kennedy, signed off on these people who had had drug histories that caused the Secret Service to object to them receiving passes; is that fair to say?

Mr. COLE. It was mitigated to our satisfaction.

Mr. DAVIS. How would they mitigate that?

Mr. COLE. Well, without going into detail, I think the appropriate party to ask that question would probably be the White House as to what the process was.

Mr. DAVIS. You didn't have the final say in it; is that correct?

Mr. COLE. Well, ultimately we have the final say of who gets the permanent pass, based whether or not that person would not pose a threat or danger to the White House complex or our protectees.

Mr. DAVIS. How could you resolve a case where initially you would recommend against the issuance of a pass?

Mr. COLE. To give you an example, it might be something in a file that we review, and it might not be clear what the disposition was or what actually happened. We might go back and ask counsel to have the FBI to do further investigation, interview another witness, or another person be interviewed or those type of situations.

Mr. CLINGER. Would the gentleman yield?

Does the Secret Service have the power to overrule a recommendation by the White House Counsel's Office that a pass be granted?

Mr. COLE. We don't have power to overrule anything from the White House.

Mr. CLINGER. So if they insisted on it, even with your reservations about it, the pass would be issued?

Mr. COLE. That is my understanding.

Mr. DAVIS. Were any of these official what you might call senior officials, policymaking officials, or were these just junior branch folks, or was it across the gamut?

Mr. COLE. If we raised any concerns that were that serious, those decisions would be resolved at the highest level in the White House and the Secret Service.

Mr. DAVIS. But were people who maybe objections were given to, were some of those senior people, appointed senior appointments?

Mr. COLE. If you would categorize Bill Kennedy as senior, my answer would be yes.

Mr. DAVIS. He was helping to mitigate and make the decisions, but I am talking about the people where the interviews turned up that they had had a drug history outside of just the normal experimentation. Were some of those people who you would call senior officials?

Mr. COLE. To be honest, I can't say.

Mr. DAVIS. So you didn't classify at what level they were?

Mr. COLE. No.

Mr. DAVIS. Does anyone else have any light on that?

Mr. Cole, we have discussed that there came a time when a drug testing program had to be instituted at the White House in order to allow certain permanent passes; is that correct?

Mr. COLE. That is correct.

Mr. DAVIS. When did that occur; do you remember?

Mr. COLE. I believe that process took place early 1994, to the best of my knowledge.

Mr. DAVIS. Did the Secret Service initially recommend to deny some of these people passes to the White House complex, and therefore they would undergo the drug testing?

Mr. COLE. Initially basically we brought our concerns to their attention and that we would not concur with the issuance of a permanent pass, and then these issues were mitigated, and at some point they did receive the pass.

Mr. DAVIS. And drug testing might have part of the solution to that?

Mr. COLE. That is correct.

Mr. DAVIS. So as far as you know, all the people with drug histories that you flagged were eventually approved by the White House?

Mr. COLE. That is correct.

Mr. DAVIS. You don't know of anybody who was turned down on that basis?

Mr. COLE. It may have been somebody was turned down. I have no recollection at this time.

Mr. DAVIS. I understand, and you don't know every case.

Who would make the decision that someone would take part in a drug testing program?

Mr. COLE. I think the ultimate decision is on the individual themselves.

Mr. DAVIS. Mr. Libonati, when an individual is being considered for employment by the White House, does the Counsel's Office adjudicate the person's background file before it goes to the Secret Service for review?

Mr. LIBONATI. Counsel's Office or a representative, which could be the White House Office of Personnel Security, reviews what we call suitability issues.

Mr. DAVIS. Thank you, Mr. Chairman. I don't know if you would like to amplify.

Mr. CLINGER. I would just ask any of the panelists, your main concern in all of these reviews is basically the safety and security of the President and the First Family?

Mr. LIBONATI. That is correct, Mr. Chairman.

Mr. CLINGER. Would you deem any and all drug use as a bar; is that an issue that arises with regard to the security and safety of the President?

Mr. LIBONATI. We would judge each individual on a case-by-case base.

Mr. CLINGER. So some examples of drug use could be considered enough of a problem to threaten the security of the President. Others would not; is that right?

Mr. LIBONATI. That is correct.

Mr. CLINGER. So some drug use that might be tolerated for that reason might not be acceptable for other reasons, but from your vantage point, it would only be the security of the President?

Mr. LIBONATI. That is correct, Mr. Chairman.

Mr. CLINGER. Thank you.

The gentleman from Indiana, Mr. McIntosh, for 5 minutes.

Mr. MCINTOSH. Mr. Chairman, let me state at the outset that having worked at the White House both with President Reagan and President Bush's administration on Vice President Quayle's staff, all of us who worked there greatly appreciated the work that the Secret Service did in providing security for those buildings and for the personnel involved, and it is outrageous to me that officials in this administration or people in Congress are implying that you all may have had something to do to instigate this breach of faith by the President in having FBI files sent over, apparently for political purposes.

I want to state very clearly that we commend you for your efforts and appreciate greatly what you did and your willingness to make personal sacrifices if called upon to ensure the safety of the President, but also by incident everybody else in the White House compound. I remember during the Gulf War when things became very tense, and all of us were grateful for your efforts during that time.

It also has become apparent from the testimony today that it is impossible that the list that was used to generate the request for FBI files could have come from the Secret Service. I think that needs to be stated for the record.

I would like to ask a couple of questions about how your lists may have used by some of the White House personnel and the possibility of that occurring, and specifically focusing on the master list on the June 4, 1994 meeting where you cautioned the White House that it shouldn't be used for purposes other than security clearances. Is it possible for any personnel, whether it is the Personnel Security Office or other personnel at the White House, to have access directly to the master list data base in which the master list or other lists are kept or stored electronically?

Mr. UNDERCOFFER. No.

Mr. MCINTOSH. So there is no direct hookup where they have access to your main——

Mr. UNDERCOFFER. There is not.

Mr. MCINTOSH. Were you ever asked to provide electronic versions of those lists to someone at the White House, either the master list or any of the other current lists?

Mr. UNDERCOFFER. We were. From 1987 up until approximately 2 weeks ago, on a weekly basis we provided the administration with a tape copy of the entire passholder data base.

Mr. MCINTOSH. Would that include the master list?

Mr. UNDERCOFFER. Yes. That was the master list.

Mr. MCINTOSH. So, and on a weekly basis that was provided and updated. Is it possible that any of these electronic data bases that were on tape or on disk could be used to generate other lists by White House personnel with their own computers?

Mr. UNDERCOFFER. Yes, they could.

Mr. MCINTOSH. Were you aware of that occurring in any instance; and one in particular I want to get to is this White House data base?

Mr. UNDERCOFFER. I was aware from previous meetings that they used our data to try and reconcile the personnel and payroll records. I wasn't aware that they were using it to try to build a White House data base.

Mr. MCINTOSH. Were you aware of any instances where Mr. Livingstone or people in his office had made use of the electronic lists that you had provided?

Mr. UNDERCOFFER. No, I was not.

Mr. MCINTOSH. Let me ask staff to pass out a copy, which is a facsimile copy of one of the screens on this White House data base. It was provided to me by John Boehner and came to him from Jack Quinn in response to his request about that data base. This is not a great copy, but you can see there is a category that is listed under John's name as House, but the title of it is "WAVES Clearance Type." I have seen cleaner copies. It is right in the middle in the second row of boxes that are available.

[The information referred to follows:]

WhoDB - Basic Information

File Edit Report Data Admin Help

Hon. (Rep.) John A. Boehner
 First Name Last Name Suffix
 Social Security # Date of Birth 12/4/55 / Clearance Type 1
 Choose Full Name

Home Address(es)
 C/P Id Ind Street Street2 City State Zip
 + -

Business Address(es)
 C/P Id Ind Org Business Name Street Street2 City State
 X X 2 D House of Representatives BY MESSENGER 1011 Longworth Washington DC
 + -

Basic Info... **Boehner** ... Candidates...

Attachment to Letter From Jack Quinn to Rep. John Boehner
 (June 27, 1996)

Mr. MCINTOSH. Could you tell me what type of information might have been used in the WAVES list to go into that box? Is that passholder type, or what that would be?

Mr. UNDERCOFFER. This is only a guess on my part, but WAVES contains the pass type for each individual. By the type of pass, one is able to determine what buildings and what levels of building clearance an individual might have, whether it is the residence, the East or West Wings, the Old Executive Office Building or the New Executive Office Building. That would be the only clearance type of information contained in WAVES.

Mr. MCINTOSH. If that information came from the master list electronically, would it be possible to have in the same data base other sensitive information about personnel?

Mr. UNDERCOFFER. It depends on what you define as sensitive.

Mr. MCINTOSH. Why don't you elaborate; what type of information might be available?

Mr. UNDERCOFFER. The information that is contained in the data base is name, date of birth, social security number, height, weight, color hair, color eyes, address, telephone number, employer. That is essentially it.

Mr. MCINTOSH. Would there be any indication of concerns based on their background checks that you had reviewed in giving the pass?

Mr. UNDERCOFFER. No, there is not.

Mr. MCINTOSH. Would it connect up with other data bases that might have been maintained on personnel? Is the WAVES type a code that could be sorted for different purposes that way?

Mr. UNDERCOFFER. No. It is a guess. I would assume it would be pass type.

Mr. MCINTOSH. Some of my colleagues talked earlier about that a lot of the requests seemed to be coming for political employees, and there was some discussion that perhaps a White House office pass would be a way of sorting people where you would get predominantly political employees on the list. Is that the same code that would appear in this clearance type, or is that a different—

Mr. LIBONATI. The way we designate pass type would not be the way it is designated here. Even the highest level pass type does not necessarily mean that you are political versus career.

Mr. UNDERCOFFER. I just noticed something. I have taken a moment to study this. Where it says "WAVES Clearance Type," and then on Mr. Boehner's information where it says "House," and this is called a GUI, a graphical user interface, there is an arrow to the left, and you can click on it. If someone were to click on it, that would tell you all the types of preprogrammed clearance types, so to speak, would be in there. "House" is not a WAVES clearance type that we carry in the WAVES data base. This is obviously something that these programmers have assigned to this data field that says "WAVES Clearance Type."

Mr. MCINTOSH. So that is not an assignment that you would have?

Mr. UNDERCOFFER. No. "House" is nothing that we designate.

Mr. MCINTOSH. One followup question, Mr. Chairman.

Was there any indication from personnel at the White House that the master list or any of the others would be used in this larger data base that you recall?

Mr. UNDERCOFFER. No, sir.

Mr. MCINTOSH. Would you have anticipated they would have told you they were doing that if they were?

Mr. UNDERCOFFER. I don't know that they would have told us they were going to. The only thing they told us is that they used our information to reconcile their payroll and personnel files.

Mr. CLINGER. The gentleman's time has expired.

The Chair is prepared to recognize the gentleman from California if he wants to seek time at this time.

Mr. WAXMAN. I would like another minute.

Mr. CLINGER. Then I will recognize the gentleman from Minnesota, Mr. Gutknecht.

Mr. GUTKNECHT. Thank you, Mr. Chairman.

I would like to echo the thoughts of my colleague. When the American people think of agencies that represent excellence, I think the Secret Service is at the top of that list, and we appreciate the work that you do and the fact that you are here with us today. So I first want to say thank you.

In looking through the documents produced by the White House for this committee, we came across a folder of documents entitled "Access List 1993." In that list Anthony Marceca's name is listed several times with different dates, March 24 through April 6, 1993—these are all 1993—April 5 through April 21; May 5 through 19; May 18 through June 3; June 1 through July 1; July 8 through 31.

I would like to ask in terms of what this means, can you briefly explain what is meant by the access list? What is the difference between that and making an appointment to go down and see somebody at the White House?

Mr. UNDERCOFFER. Is it the awaiting pass list that you are referring to?

Mr. GUTKNECHT. It says—"access list" is printed in caps, the first one is March 24, 1993. Could somebody explain what the access list is?

Mr. UNDERCOFFER. That is not a document that we produce.

Mr. GUTKNECHT. OK. Do you know who does?

Mr. COLE. We have a document that we call the access list that comes out of WAVES, which basically takes the place of a person making an appointment for an individual that it is necessary to come in for a period of time.

Mr. GUTKNECHT. So if your name is on that list, you can show some kind of an I.D. and just walk in?

Mr. COLE. If your name is on an access list that Secret Service generates through WAVES, the requirement would be you show your ID, go through the metal detector, and the passholder who is responsible for that access list or a representative would have to be present on the complex. The access list that you are referring to, Mr. Undercoffer can speak to that.

Mr. UNDERCOFFER. The third page back, tagged as Exhibit 047431, Anthony Marceca is the only name. The top of the page

says "The White House, Washington." There is nothing that we produce—

Mr. GUTKNECHT. So you don't produce that list?

Mr. UNDERCOFFER. No, sir. The White House produces this list.

Mr. GUTKNECHT. But you review it?

Mr. LIBONATI. No, we don't review it.

Mr. GUTKNECHT. But if they are on the list, they can just show some I.D.—

Mr. LIBONATI. Not this list. I think what we are talking about, the WAVES center handles appointments. In order to make an appointment, a passholder can make an appointment for someone to come in, and that process is they call down to the WAVES center and give names and other data. We run certain checks, and they can make appointments for people to come in. But I don't think that that is what you are referring to here.

Mr. UNDERCOFFER. No. By comparing the list I spoke of, 04731 with the list marked 46965, it has Anthony Marceca's name on it and an expiration date. This is a WAVES passholder waiting list, 04695. Those are individuals who do not have passes and are to be put on an access list to preclude the administration from having to call up daily to make an appointment for an individual coming in.

Say they would like to have somebody placed on the access list, and we have a generic term for it in the system entitled "awaiting passholder list," it does not necessarily mean that they are awaiting a pass, and with the time parameters that they are allowed to come in for. So all the individual has to do when he arrives at the complex is check in with one of the entry posts, produce positive identification that he is, in fact, the person, and he will be given a pass to come into the building.

Mr. GUTKNECHT. For that day?

Mr. UNDERCOFFER. For that day, but the waiting pass list is so somebody can come in over an extended period of time, say one or 2 weeks.

Mr. LIBONATI. It precludes a passholder from having to make an appointment for Mr. Marceca every day. So we give them an opportunity to make kind of a long-term appointment, say, for a period of a week as opposed to making an appointment for them every day.

Mr. GUTKNECHT. These documents say that Mr. Livingstone wanted Mr. Marceca to have access to the White House beginning March 24 through the end of July; is that correct?

Mr. LIBONATI. That is correct.

Mr. GUTKNECHT. Do you have any record of how many times Mr. Marceca entered the White House—do you keep a record of who comes in and who goes out each day?

Mr. UNDERCOFFER. Sir, we do not keep the appointment information. Although the appointment information is stored and processed on the WAVES computer, every month it is copied over to a data tape, turned over to the White House Office of Records, and then we purge that information from our system. So for this period of time back in 1993, we don't have entrance and egress records.

Mr. GUTKNECHT. OK. But you do know based on these documents that Mr. Marceca—and approved by Mr. Livingstone—had access to the EOB from March 24 to July 31; is that correct?

Mr. UNDERCOFFER. That is correct.

Mr. GUTKNECHT. And he could have come and gone any day?

Mr. UNDERCOFFER. Yes, he could have.

Mr. GUTKNECHT. And you would have no record of it?

Mr. UNDERCOFFER. No, sir.

Mr. GUTKNECHT. Even though Mr. Marceca was not hired until August?

Mr. UNDERCOFFER. That is correct.

Mr. GUTKNECHT. I would yield back any time that I have left to the Chairman.

Mr. CLINGER. The gentleman from Indiana. We probably are only going to have one round.

Mr. WAXMAN. Mr. Chairman. I think I am next.

Mr. CLINGER. Well, the time has not expired.

Mr. BURTON. Mr. Chairman, I had six or seven questions I wanted to ask. I have been waiting here patiently for 2 hours. You say we are not going to have a second round?

Mr. CLINGER. We will unlikely have a second round.

Mr. BURTON. I wish the chairman, with all due respect, would tell me that, because I had a lot of other things I could have done for a couple of hours.

Mr. CLINGER. As we indicated to the gentleman, we think that we could get you some time from some of the other members.

Mr. BURTON. I appreciate that.

Mr. CLINGER. The gentleman from California.

Mr. WAXMAN. Mr. Chairman, before I begin, our members on the Democratic side had clearly in mind they wouldn't get a second round because none of these hearings have provided a second round for questions, and I would hope the gentleman from Indiana would get time from one of his Republican colleagues because it is unfair for those who didn't think there would be a second round not to be here and then find that others got to get a second round. I do make that point, Mr. Chairman.

You gentlemen are Secret Service, and so you issued the passes, but when it comes to background checks to see whether anybody had a drug problem, as I understand it, that would be handled by the FBI; is that correct?

Mr. LIBONATI. That is correct. They would conduct background checks that would determine that.

Mr. WAXMAN. Cecilia Woods, who has been with the FBI since 1982 working in Narcotics in Miami, and then she moved to the White House, she is the one who does the background checks for the White House since June 1993. She was deposed last Wednesday, and I want to read some comments.

She was asked, was the level of drug use in 1993 discovered through background investigations that appeared to be prevalent within the White House based upon your background investigations?

Her answer: I wouldn't say it was just the White House. Prior to me coming to the White House, I was doing background investigations elsewhere, and I would encounter previous drug use usually during college years of other individuals. So I wouldn't just attribute that to the White House.

Question: Where were you prior?

Answer: I was doing background investigations at the State Department and other Federal agencies.

Question: And this was prior to your coming to the White House in 1993?

Answer: Right.

Question: And you felt it was of similar levels at the State Department and other agencies?

Answer: Well, you have to take into consideration the age of the appointee. People in their thirties and forties admitted to previous drug usage during their college years, which was a few years ago. If you are talking about a young person who just graduated from college who got a job at the White House or was doing volunteer work at the White House, then the scope, you know, it is a little closer in, so it is difficult to gauge that.

Question: Similarly, I guess people the older they got, the further drug use was away?

Answer: Right.

Question: Other than the incident which brought up about drug use, which you had said was the person for whom it was 24 hours before filling out their form, did you come across any other instances of current drug use of individuals in the White House?

And Mr. Campbell said, would you define "current"?

Miss Olson said—who was asking the questions—using drugs while they were at the White House.

And the witness answered, I am not aware of any personally.

Did you ever see anyone using drugs at the White House? The answer was no.

This is the testimony in the deposition of the person at the FBI that does checks on whether there was drug use by people; isn't that correct, Mr. Libonati?

Mr. LIBONATI. If that is her testimony, absolutely. I don't know that we have disputed anything that has been said so far, sir.

Mr. WAXMAN. Well, I think there has been some attempt to try to have, the three of you, give testimony about drug use at the White House, when, in fact, research or the checking on that would not be Secret Service, but it would be people at the FBI, and specifically this woman who testified, who answered to: have you ever seen anyone using drugs at the White House. Her answer was no.

Mr. Chairman, I think the deposition ought to be in the record. I did read from the deposition, and I think it ought to be available to be read by people, and I ask unanimous consent the deposition be put in the record.

Mr. CLINGER. We have indicated that we are going to make all of the depositions part of the record at such time as we have completed the depositions, which will occur next week, and at that point all of the depositions will be made part of the record that have not already been made part of the record.

Mr. WAXMAN. As I understand it, Mr. Chairman, Mr. Cole's deposition was put in the record today.

Mr. CLINGER. The witnesses, yes. As the witnesses have testified, we have put the depositions in the record. The individual you are referring to has not as yet been called upon to testify and may not be, but in any event, her deposition will be made part of the record at the conclusion of taking of the depositions.

Mr. WAXMAN. Well, Mr. Chairman, obviously I need unanimous consent to get this into the record, and it sounds to me like I won't have unanimous consent, but I do want to point out to people that the testimony we received today, or at least what people have tried to make the testimony appear to be, is contradicted by this deposition, and I don't think it ought to be withheld from the public and have anybody draw the inference that it is being withheld because it contradicts a story that some people would like out.

I do appreciate the fact that the Chair wants to hold back on these depositions, and he is the chairman, but I do want everyone to know the deposition of the person who was involved in checking on any drug use at the White House clearly states that she did not find that there was such an incident going on.

Mr. CLINGER. Will the gentleman yield?

Mr. WAXMAN. Yes.

Mr. CLINGER. Just to make a point, I have not heard any testimony here by these witnesses or questions that would suggest implications there was use of drugs in the White House. I think there has been suggestions of drug use by Members who worked at the White House, but not to say that there has been actual drug use in the White House.

Mr. WAXMAN. Reclaiming my time, the question was whether there was any recent drug use by people who work at the White House, not drug use by any of them in their college days. But there was a wire service story of this hearing that seemed to indicate that the Clinton administration was overruling the Secret Service in granting passes to some employees with a history of drug use, and if we are talking about recent drug use by anybody who is working in the White House, the person who would know about it would be this person from the FBI whose deposition, which we are not going to make public today, but I wanted to read into the record, at least that specific part actually says that is not true.

Is that a correct statement, Mr. Libonati or Mr. Cole?

Mr. COLE. She was not the only FBI agent doing the background investigations in the White house. I can't say what portion of the population she looked at. We looked at everybody. I could only comment on what we reviewed.

Mr. WAXMAN. Did you review for drug use?

Mr. COLE. We reviewed the entire file in its entirety, whatever was given to us.

Let me state that what we reviewed was a summary. It was not the entire investigation from the FBI. So again as I stated before, if this matter needs to be cleared up, it needs to be cleared up at the FBI.

Mr. WAXMAN. That is why we need the testimony from the person from the FBI to be out there.

Mr. CLINGER. The time of the gentleman has expired.

The Chair now recognizes the gentleman from Indiana, Mr. Souder, for 5 minutes.

Mr. SOUDER. I first want to say that it was very upsetting, particularly in the early part of this hearing, to have your testimony impugned and your integrity impugned; implications on the one hand people were saying you were taking too long, Mr. Libonati, and then where you started to try to shorten your testimony, it was

as if you were trying to hide something. You read the statement, and it was impugned again later. I am appalled at the behavior of some on this committee.

It is a difficult investigation. We are trying to find the truth. There ought to be the decency and respect for individuals in this process not to be making absolutely inflammatory statements; that the record ought to show, and you are willing to say because you are under oath, that everything you said is true, that you are trying to hide nothing from the committee, that you gave us the statement that had the changes out. I apologize on behalf of those who have the decency in this committee to behave in a different manner, and I am sorry for what happened earlier.

Also, for the record, there was a lot of diversionary tactics on this 14,000 names. My interpretation of what you said from the beginning, because you don't know where it came from, where the 8-year tradition came from that kept those files, but there was nothing in your perspective that says that it wouldn't be OK to change it or otherwise. That is not anything you are trying to hide or advocate. That was merely an administrative decision that did that.

Mr. LIBONATI. That is correct. I am not sure of its origin, and certainly we will research that.

Mr. SOUDER. And it has been disappointing to me, the diversionary tactics, when we have something that is of deep national concern, that we have diversionary tactics over and over again, as if you had anything to do with those, when it is not part of your job description. You are to implement what is given to you by the different agencies and not make that policy.

I have a couple of brief follow-ups. In answer to Mr. Gutknecht's questions, you clarified this some, but on the waiting pass holder lists that were distributed early, that Mr. Marceca appears on 4/6, 4/16, 5/7, 5/25, 6/1, 6/7, 6/14, all those lists prior to his employment at the White House, is it not logical to assume that if you have him on that many of these waiting pass holder lists, so they don't have to call every day, that he was probably there on a regular basis?

Another way to ask that is, in the waiting pass holder list do you update that list, or once somebody is on it are they on it forever?

Mr. UNDERCOFFER. Traditionally, it is updated once a week.

Mr. SOUDER. So if the name keeps reappearing, presumably the person is there on an almost daily basis if he is there for months after months on some of these lists.

At the top, like the one on 6/7 that Mr. Marceca is on, it says the date 6/7/93; "10:56:55 a.m." is on the top. But down by his name it has, "Marceca, Anthony, Mr. Livingstone at the White House," and then it says "7/1/93." I assume that means that one was cleared through to 7/1?

Mr. UNDERCOFFER. That is correct.

Mr. SOUDER. And some of the others have shorter periods of dates. It looks like it ranges from 5 days——

Mr. UNDERCOFFER. To 30 days.

Mr. SOUDER. Up to 30 days. And so contrary to impressions that we have got, that means that we don't know from this what Mr. Marceca was doing except that Mr. Livingstone was the person giving him the clearance and he was there on list after list, on the

list that gets updated from somewhere between every week and the time on it can be from a few days to a month, and that tends to imply that he's there very regularly. Otherwise, you wouldn't be on a list like that. Is that not true?

Mr. UNDERCOFFER. Yes, sir, that's true.

Mr. SOUDER. I have another question. I wanted to get into a little bit of this question of the origins of these lists. It's very confusing. When there is a transition in the White House and the active and the inactive and not knowing for sure who is going to be held over and how long they are going to be held over and the fact that you are giving daily updates to people, who—at what point is it fairly—because many of the previous administrations' people may have been there—at one point do you sit down and give them a list and say, "This is the active list; disregard anything that you found in the office or that administration to be in transition"? Is there a logical point here? Do you sit down with the people when you take over? How does the pass-off occur?

Mr. COLE. During the change of administration, we have what we call a pass reissue, and there is a cutoff date, and the cutoff date was October 31, 1993.

At that point, everyone should have been identified by the administration, by the other agencies, as being active in the White House and be issued a new pass. If you did not receive that new pass, your status would be made inactive in the White House.

Mr. SOUDER. Approximately what time does that occur? What date?

Mr. COLE. It happened, I believe it was midnight, October 31, 1993.

Mr. SOUDER. So that occurred in October 1993, 9 months in?

Mr. COLE. Right.

Mr. SOUDER. When Mr. Livingstone came in as well as Mr. Marceca, is there a training? Do you sit down and tell them what the lists are that are coming over to them and explain it to them, and did you them in particular?

Mr. COLE. No formal training. I just recall discussing in detail with Mr. Livingstone the lists, and he urged to me the importance of him to find out who didn't belong in the White House. So it was very clear in my mind that he knew the difference between active and inactive.

Mr. SOUDER. Did the list of active and inactive from you, not Xerox copies, but did those lists get sent by your office to anybody other than the Counsel's Office and Livingstone? Did they go to the White House Chief of Staff?

Mr. COLE. I mean, those lists, as voluminous as they are, once the White House gets it, they can go anywhere within the White House. There is nothing really classified about the list.

Mr. SOUDER. Who can request information about who is on the list?

Mr. COLE. I think anybody in the White House that has a need can request. I mean, you have the director of GSA. He would like to know what employees are on his list. We have work orders that appear on the list.

Mr. LIBONATI. Basically, we are giving them back their own information. If we give a master list to the White House Office of Se-

curity, where that information there, who may call them for information or where that may go we would not have any idea. It is not a controlled correspondence. It is not a secured document. It is information we received from them and gave back to them. Once they take any list from us, where it goes is really not controlled by us and cannot be controlled by us.

Mr. CLINGER. The time of the gentleman has expired.

Mr. BURTON. Mr. Chairman, because of a misunderstanding, I ask unanimous consent that the gentlewoman from Maryland, Mrs. Morella, be given 5 minutes.

Mr. CLINGER. Without objection, the gentlewoman from Maryland is recognized for 5 minutes.

Mrs. MORELLA. I thank you very much, Mr. Chairman.

I would like to thank the three members of the Secret Service for being here all day, for withstanding the slings and arrows of outrageous fortune and handling it very well. Thank you for your candor and for your presentations.

I was on the floor for most of the day because we are moving on an appropriations bill for Treasury-Postal which deals with Federal employees, and of course I have some grave concerns about the downsizing and the possibility of reductions in force, particularly for IRS and Customs and AID and for other agencies that are affected by that bill, and there are many of them.

And yet as I scanned the materials that I have before me, I see some interesting phenomenon. I have a list here which says, "All entry exits for 5/1/96 to 5/31/96." This is for Mr. Livingstone. Are you familiar with that kind of list? Maybe you'd like to just explain to us what it is.

[The information referred to follows:]

EXECUTIVE OFFICE OF THE PRESIDENT

30-May-1995 10:15am

TO: Abner J. Mikva

FROM: D. Craig Livingstone
Office of the Counsel

SUBJECT: Follow-up to pay adjustment request

Greetings. Sir, thank you for your concern and continued support. I write to you this afternoon to follow-up our conversation of this past month concerning my salary. I am doing this at your suggestion and my continued frustration.

While I realize there are many professional staff in your office that are also underpaid, many of them will move on to lucrative private-sector opportunities, I, on the otherhand plan to continue a career in government service. Briefly put, as my salary is under the pay schedule for a GS-14 it would be virtually impossible for me to get rated for a GS-15 even though I possess the credentials.

My predecessor made well over 60K with TWO additional staff. I strongly believe that my level of work reviewing IRS records, adjudicating FBI backgrounds, conducting intake security interviews and developing corrective plans of action for individuals with problems that can be made right -- demonstrates that I am well deserving of a pay increase to 65K. I base that on what other security officers make (in the complex) with far less work and responsibilities. I have done my best to be a good soldier. I am facing living pay-check-to-pay-check. The raise would change all that.

I deserve the raise and I respectfully request your assistance.

Once again, I thank you for your time and consideration.

EXECUTIVE OFFICE OF THE PRESIDENT

28-Aug-1995 05:46pm

TO: Abner J. Mikva
FROM: D. Craig Livingstone
Office of the Counsel

SUBJECT: Personnel Security office issues

Once again, thank you for your consideration.

Today, I write to you seeking your assistance with payroll issues. Presently, my office payroll totals \$ 110k. The previous administrations payroll was \$ 170k (with one additional staff member).

I hope to increase the present payroll by \$ 14k the bulk of which \$ 12.5k, would be used to adjust my salary to \$ 70k. The remaining \$ 1.5k would bring my exec. assistant up to 30K.

I lost my exec. assistant to a better opportunity last week. I had tried and tried to secure a small raise for her. She attended three training courses and performed wonderfully in her position.

I will promote my other assistant to her position. Unfortunately, I will now have to find and train yet another person. This is much more of a task than it sounds because of the sensitivity of the information we safeguard.

Finally, my situation has gone on for more than 2 1/2 years. I have seen this office through a few storms. The most recent GAO review had my office performance rated very good when compared to the career side of the EOP.

It would be wrong not to approve my request. Not just because I was promised but because I have demonstrated that I deserve it. I apologize for my tone but this is my last try to remain part of the team.

Current salaries:	LIVINGSTONE 57.5K	Proposed salaries:	70K
	WETZEL 28.5K		30K
	HUGHES 24.0K		24K
	total \$ 110.0K		total \$ 124K

** Please note that Hughes would move into Wetzel's position.

I look forward to hearing from you soon.

*Jane = Jody said
oh to Hughes - with Craig
- half of
Craig
ride*

CRAIG LIVINGSTONE

started at \$45,000

10/10/93 -- raised from \$45,000 to \$51,000

1/8/95 -- raised from \$51,000 to \$57,500

10/1/95 -- raised from \$57,500 to \$63,750

All Entry Exits for 05/01/96 - 05/31/96; BADGE - 34BF12;

BETWEEN 12:00:00AM AND 11:59:59PM - Page 1

DATE TIME..... L NAME..... F NAME.... M BADGE. TYP POS L STATUS..

31	10:18:57PM	LIVINGSTONE	D. CRAIG	34BF12	P	B4	3	EXITING
31	02:51:30PM	LIVINGSTONE	D. CRAIG	34BF12	P	B4	2	ENTERING
31	01:25:21PM	LIVINGSTONE	D. CRAIG	34BF12	P	B4	3	EXITING
31	12:34:11PM	LIVINGSTONE	D. CRAIG	34BF12	P	D2	1	ENTERING
31	12:23:50PM	LIVINGSTONE	D. CRAIG	34BF12	P	D3	3	EXITING
31	11:16:11AM	LIVINGSTONE	D. CRAIG	34BF12	P	B4	2	ENTERING
30	06:46:41PM	LIVINGSTONE	D. CRAIG	34BF12	P	B4	3	EXITING
30	11:50:10AM	LIVINGSTONE	D. CRAIG	34BF12	P	B4	2	ENTERING
29	05:09:46PM	LIVINGSTONE	D. CRAIG	34BF12	P	B4	3	EXITING
28	06:14:28PM	LIVINGSTONE	D. CRAIG	34BF12	P	B4	3	EXITING
28	02:03:17PM	LIVINGSTONE	D. CRAIG	34BF12	P	D2	1	ENTERING
28	01:15:34PM	LIVINGSTONE	D. CRAIG	34BF12	P	D2	3	EXITING
28	11:37:52AM	LIVINGSTONE	D. CRAIG	34BF12	P	B4	2	ENTERING
24	06:48:29PM	LIVINGSTONE	D. CRAIG	34BF12	P	B4	3	EXITING
24	12:40:54PM	LIVINGSTONE	D. CRAIG	34BF12	P	B4	2	ENTERING
23	05:54:21PM	LIVINGSTONE	D. CRAIG	34BF12	P	B4	3	EXITING
23	12:36:38PM	LIVINGSTONE	D. CRAIG	34BF12	P	B4	3	EXITING
22	03:54:47PM	LIVINGSTONE	D. CRAIG	34BF12	P	B4	3	EXITING
22	01:11:06PM	LIVINGSTONE	D. CRAIG	34BF12	P	D2	1	ENTERING
22	01:01:23PM	LIVINGSTONE	D. CRAIG	34BF12	P	D3	3	EXITING
21	06:11:47PM	LIVINGSTONE	D. CRAIG	34BF12	P	B4	3	EXITING
21	02:42:21PM	LIVINGSTONE	D. CRAIG	34BF12	P	B4	1	ENTERING
21	12:29:11PM	LIVINGSTONE	D. CRAIG	34BF12	P	D3	3	EXITING
21	08:47:23AM	LIVINGSTONE	D. CRAIG	34BF12	P	B4	2	ENTERING
20	05:28:11PM	LIVINGSTONE	D. CRAIG	34BF12	P	B4	3	EXITING
20	11:17:09AM	LIVINGSTONE	D. CRAIG	34BF12	P	D3	3	EXITING
20	10:16:56AM	LIVINGSTONE	D. CRAIG	34BF12	P	B4	2	ENTERING
17	12:26:45PM	LIVINGSTONE	D. CRAIG	34BF12	P	D2	1	ENTERING
17	12:18:13PM	LIVINGSTONE	D. CRAIG	34BF12	P	D2	3	EXITING
16	05:15:28PM	LIVINGSTONE	D. CRAIG	34BF12	P	B4	3	EXITING
16	01:38:12PM	LIVINGSTONE	D. CRAIG	34BF12	P	D2	1	ENTERING
16	01:26:16PM	LIVINGSTONE	D. CRAIG	34BF12	P	D3	3	EXITING
15	05:18:47PM	LIVINGSTONE	D. CRAIG	34BF12	P	B4	3	EXITING
15	09:06:48AM	LIVINGSTONE	D. CRAIG	34BF12	P	B4	1	ENTERING
14	06:12:12PM	LIVINGSTONE	D. CRAIG	34BF12	P	B4	3	EXITING
14	12:49:23PM	LIVINGSTONE	D. CRAIG	34BF12	P	D2	1	ENTERING
14	12:29:13PM	LIVINGSTONE	D. CRAIG	34BF12	P	D2	3	EXITING
14	09:57:15AM	LIVINGSTONE	D. CRAIG	34BF12	P	B4	1	ENTERING
13	12:06:55PM	LIVINGSTONE	D. CRAIG	34BF12	P	D3	3	EXITING
13	10:21:09AM	LIVINGSTONE	D. CRAIG	34BF12	P	B4	1	ENTERING
10	08:08:44PM	LIVINGSTONE	D. CRAIG	34BF12	P	B4	3	EXITING
10	05:16:03PM	LIVINGSTONE	D. CRAIG	34BF12	P	D1	2	ENTERING
10	04:05:46PM	LIVINGSTONE	D. CRAIG	34BF12	P	A5	3	EXITING
10	12:56:14PM	LIVINGSTONE	D. CRAIG	34BF12	P	D2	1	ENTERING
10	12:38:28PM	LIVINGSTONE	D. CRAIG	34BF12	P	D3	3	EXITING
09	06:12:10PM	LIVINGSTONE	D. CRAIG	34BF12	P	B4	3	EXITING
08	05:16:22PM	LIVINGSTONE	D. CRAIG	34BF12	P	B4	3	EXITING
08	02:40:55PM	LIVINGSTONE	D. CRAIG	34BF12	P	B4	2	ENTERING
08	02:40:35PM	LIVINGSTONE	D. CRAIG	34BF12	P	B4	2	BAD PIN
08	11:17:56AM	LIVINGSTONE	D. CRAIG	34BF12	P	B4	3	EXITING
08	10:55:03AM	LIVINGSTONE	D. CRAIG	34BF12	P	B4	2	ENTERING
08	10:54:40AM	LIVINGSTONE	D. CRAIG	34BF12	P	B4	2	BAD PIN
08	10:54:16AM	LIVINGSTONE	D. CRAIG	34BF12	P	B4	2	BAD PIN
07	05:31:03PM	LIVINGSTONE	D. CRAIG	34BF12	P	B4	3	EXITING
06	04:35:11PM	LIVINGSTONE	D. CRAIG	34BF12	P	B4	3	EXITING
06	12:30:59PM	LIVINGSTONE	D. CRAIG	34BF12	P	A5	3	EXITING

All Entry Exits for 05/01/96 - 05/31/96; BADGE - 34BF12;
 BETWEEN 12:00:00AM AND 11:59:59PM - Page 2
 DATE TIME..... L NAME..... F NAME.... M BADGE. TYP POS L STATUS.....

06	10:31:58AM	LIVINGSTONE	D. CRAIG	34BF12	P	B4	2	ENTERING
03	05:41:01PM	LIVINGSTONE	D. CRAIG	34BF12	P	B4	3	EXITING
03	05:36:20PM	LIVINGSTONE	D. CRAIG	34BF12	P	B4	2	ENTERING
03	05:34:34PM	LIVINGSTONE	D. CRAIG	34BF12	P	B4	3	EXITING
03	02:16:29PM	LIVINGSTONE	D. CRAIG	34BF12	P	B4	3	EXITING
Q3	10:16:44AM	LIVINGSTONE	D. CRAIG	34BF12	P	B4	2	ENTERING
02	05:37:50PM	LIVINGSTONE	D. CRAIG	34BF12	P	B4	3	EXITING
02	02:11:32PM	LIVINGSTONE	D. CRAIG	34BF12	P	B4	1	ENTERING
02	12:29:38PM	LIVINGSTONE	D. CRAIG	34BF12	P	B4	3	EXITING
02	09:20:03AM	LIVINGSTONE	D. CRAIG	34BF12	P	B4	2	ENTERING
01	04:38:37PM	LIVINGSTONE	D. CRAIG	34BF12	P	D4	3	EXITING
01	09:52:10AM	LIVINGSTONE	D. CRAIG	34BF12	P	D2	1	ENTERING

Mr. UNDERCOFFER. Yes, ma'am. That type of a list is part of our access control system. And the passes that we wear have a microchip in them, and if someone enters or exits from the White House, they wave the pass in front of the pass waver and they enter their PIN number, and that information is sent into our access control number, and the turnstile will open and allow the person in or out, depending on which way.

These lists are a record of each time, in this case for Mr. Livingstone, each time he entered and left the White House during the month of May 1996.

Mrs. MORELLA. So as I scan it, I can see that, for instance, on May 8 he entered at 10:55 in the morning and he left at 5:16. Down at the bottom of that first page, on May 20, he entered at 10:16 in the morning and left at 5:28.

Mr. UNDERCOFFER. Yes, ma'am.

Mrs. MORELLA. May 23, he entered at 12:36 and he left at 5:54, and there are a number of others where he entered at about 11 and left at 5 or 6 o'clock. And yet when Mr. Nussbaum appeared before us at the last hearing, he talked about the fact about how hard these people worked.

And I have a letter that was sent to Judge Mikva by Mr. Livingstone where he says in the letter—to my recollection, he says that he deserves a pay raise because he has been living from paycheck to paycheck. And at that time his current salary was \$57,500. He said he had done his best to be a good soldier. Then he got a raise shortly after that to \$63,700.

And I juxtapose that with what I said about where I was in terms of Federal employees receiving—just knowing that they have the security of a job where they have worked hard for many years and have not had those kinds of hours.

I just wondered if you wanted to make any comments about this. Is this extraordinary? Would you consider this an interesting phenomenon that says something about what being a good soldier is in that situation?

Mr. LIBONATI. Congresswoman Morella, I probably would prefer not to comment on it. I would probably just stick to the issues of lists and printouts in the system, if that is OK.

Mrs. MORELLA. I wonder, you know, since you have been around for a while, what kind of hours did his predecessor keep? I'm trying to establish whether this was extraordinary.

Mr. LIBONATI. I had the good fortune to work with Ms. Jane Dannenhauer, and she was very hard working, professional, competent, and worked a pretty long day. I can't compare that. I wasn't there with Mr. Livingstone. I can only speak to what her hours were. So—

Mrs. MORELLA. She appeared at our very first hearing. This is like the third hearing that we've had, and she did comment, she seemed very committed. From what we saw, she was and did comment on working the full day. But what are those hours? Are they like 9 to 5:00? 9 to 3:00? 9 to 1:00?

Mr. LIBONATI. I couldn't say with certainty. Certainly at least 8 hours, and I would suspect far more than that based on my working hours and knowing that she was there when I was there. It was a pretty full day.

Mrs. MORELLA. Is a record kept of all entrances and exits of all of the people who have access to the White House? I guess Mr. Marceca and Mr. Livingstone particularly but in general of all people?

Mr. UNDERCOFFER. This type of a record was kept for every pass holder. Beginning in May, the May-June time period of 1995, every visitor to the White House also has a record of entry and exit in our system similar to this.

Mr. COLE. I might want to add, though, that that record is not a conclusive record, because there are ways that the complex can be accessed without that information being recorded.

Mrs. MORELLA. Would the Secret Service have any record of whether Mr. Livingstone and Mr. Marceca came into the White House on June 16, on Sunday?

Mr. COLE. What year?

Mrs. MORELLA. This would be of 1996.

Mr. UNDERCOFFER. Yes, we would.

Mrs. MORELLA. You would have a record? The reason I mention that date, that date was given to me as one that was the date that Mr. Livingstone met Mr. Marceca at a flea market and then he went back to Mr. Livingstone's home to discuss the FBI files and the list before going over to Mr. Livingstone's lawyer's office where Mr. Marceca gave a statement about those files. So, you don't have that record before you, though, do you?

Mr. LIBONATI. Not before us.

Mr. UNDERCOFFER. No, ma'am.

Mrs. MORELLA. Maybe we could look into that for another time. I don't have any further questions. I yield whatever time remaining, if there is any, to Mr. Burton.

Mr. BURTON. I thank the gentlewoman very, very much. And first of all, let me point out—and I wish my colleague was still here from California—there were 21 people in a drug program—drug-testing program at the White House. I believe nine of them are still in that program; is that correct?

Mr. COLE. I don't recall the exact number.

Mr. BURTON. I'm pretty sure that is an accurate figure, and I wish he was here. He was indicating that there was probably no drug problem over there. There was a drug problem, and there continues to be.

One thing I want to cover with Mr. Cole: You say it was very clear in your mind that Mr. Livingstone knew the difference between active and inactive files.

Mr. COLE. Well, in relationship to that list, yes.

Mr. BURTON. To those lists. He definitely knew, and he was the supervisor over Mr. Marceca. So one would assume that Mr. Marceca at least would know from Mr. Livingstone what was an active or inactive file.

Mr. COLE. I won't assume anything.

Mr. BURTON. Then I will make that assumption. I will not put you on the spot on that.

Let me ask you a question about Mr. Livingstone. He said back in early 1993, I guess in the fall of 1993, he indicated to this lady that he was going to beat her face in if she didn't keep her dog

quiet. Did you talk to anyone at the White House about that after the fact and show concern about that? Was that issue raised?

Mr. COLE. This came to my attention just recently, so I really had no knowledge of it when it occurred.

Mr. BURTON. Did anybody that you know of at the Secret Service or the White House bring this to the attention of Mr. Kennedy or the Counsel's Office?

Mr. COLE. Not to my knowledge.

Mr. BURTON. So you didn't talk about that?

Mr. COLE. No.

Mr. BURTON. OK. Did Craig Livingstone ever make requests of the Secret Service for background files in the Secret Service vault?

Mr. COLE. At one time Craig indicated to me that he had to recreate the files, and he asked if our office could be of some assistance in helping them do that, and I told them we could not.

Mr. BURTON. Did he pursue it any further?

Mr. COLE. No. I was very adamant about the fact.

Mr. BURTON. But he did want files out of the Secret Service vault?

Mr. COLE. Well, he asked if we could provide some information from our files.

Mr. BURTON. And you told him no?

Mr. COLE. No.

Mr. BURTON. Was there ever a time when Craig Livingstone was improperly requesting other information from Secret Service data bases?

Mr. COLE. I wouldn't say improperly requesting. What I believe I made testimony to was the fact that it came to my attention that a lot of the requests were being made directly through our WAVES center, and at that time while I was the supervisor I felt that all the requests should be made through my office as opposed to directly through WAVES office.

I mean, that was a very busy time. The volume of personnel coming into the White House was voluminous, and we felt that the access control offices had to concentrate on accessing appointments and visitors as opposed to running lists.

Mr. BURTON. As I understand it, he was going directly to WAVES and requesting criminal record checks. Do you know if any of those criminal record checks involved members from previous administrations on that list of 700-and-some list that we are talking about?

Mr. COLE. I do not.

Mr. BURTON. But he was going directly to them, trying to get criminal information?

Mr. COLE. That was my understanding, yes.

Mr. BURTON. I see, then he could have. He could have been doing this sort of thing as far as previous administrations and previous employees at the White House were concerned?

Mr. COLE. Anything is possible. I just don't know.

Mr. BURTON. Do you know what information he was specifically seeking when he was going to try to get this criminal background?

Mr. COLE. I think the routine, the normal course of business, is that anyone that is a prospective hiree or on the volunteer list, or what-have-you, the White House would let the Secret Service

know, and we would run a check for our purposes. Once again, the White House would have a need to know for suitability reasons, so this was part of the normal course of doing business.

Mr. BURTON. Was this kind of activity by Mr. Livingstone tolerated once you learned of it? I mean, when he started asking about going directly to the WAVES list to get criminal background information, did you discourage him from doing that?

Mr. COLE. Well, I spoke to him about it, and my understanding, he understood what my concerns were, and I don't believe it became an issue any further after that.

Mr. BURTON. He didn't, to your knowledge, after that, go check directly, he went through you?

Mr. COLE. Not to my knowledge, and I can't recall specifically if anything like that happened after I spoke to him.

Mr. BURTON. So you just don't know for sure?

Mr. COLE. You are talking 1993, and we've had several discussions. There were a number of pass requests, pass lists. There were so many different things that happened in that time. I can't focus on—

Mr. BURTON. What was his demeanor? Did he accept what you said, or did he seem reluctant or reticent?

Mr. COLE. No, other than the fact that he had a need to know, and basically I expressed the fact that we would assist him in any way possible as soon as possible to expedite any requests that he would have, but I wanted to centralize some of that information.

Mr. BURTON. One more question on another subject. Any one of you can answer this. On this Big Brother data base that they've got there at the White House, do you know if there is any additional information? We have a copy here of Representative John Boehner's basic information. Do you have any idea how extensive research was in this data base as far as the Members of Congress or others were concerned?

Mr. COLE. I really have no personal knowledge on how the data base was formulated and how the computer is programmed. I really don't.

Mr. BURTON. Did previous administrations have this kind of a program?

Mr. COLE. Not to my knowledge. I just don't know.

Mr. BURTON. So this is the first that any of you have heard of this, this Big Brother—

Mr. LIBONATI. To my knowledge, it is. I was unaware of anything in the past.

Mr. BURTON. Mr. Chairman, thank you very much for being so tolerant.

Mr. CLINGER. Thank you Mr. Burton.

The Chair now recognizes the gentleman from Michigan, Mr. Chrysler, for 5 minutes.

Mr. CHRYSLER. Thank you, Mr. Chairman.

I just have a real brief question, and thank you, by the way, very much for your testimony. It has been concise and clear. And I just wanted to ask you the question. Do you believe that the White House is trying to blame the Secret Service for a situation that the Secret Service could in no way have been responsible for?

Mr. LIBONATI. I think all of us would be very reluctant to characterize what the White House is doing. As I said in my opening statement, when this story broke, media coverage indicated—again, media coverage initially—that there were outdated lists, and we immediately responded to check our systems, and, quite frankly, there were congressional inquiries, and so we took it from there.

But it would be very difficult, I think, for any of us to characterize whether or not the White House is blaming us. We are just going to do our jobs, see what happened, and not worry about that.

Mr. CHRYSLER. Maybe the last half of the question then, that the Secret Service could in no way have been responsible?

Mr. LIBONATI. I do not believe—I think the evidence supports our conclusion that we were not responsible for inaccurate information that contributed to the request of the inactive files from that pool of 476 names.

Mr. CHRYSLER. Thank you very much. And at this point I'd yield back the balance of my time to the chairman if he has any further questions.

Mr. CLINGER. I thank the gentleman for yielding back. I would just like to ask Mr. Libonati: We did receive copies of your written informal remarks this morning, I believe, prior to your testimony. I think two copies were delivered to both sides of the aisle of that statement. And as you had noted, you had deleted some information as we were going along and you kept getting somewhat interrupted by those who complained that your remarks were too long. Do you have anything you would like to clarify with regard to that?

Mr. LIBONATI. I would, Mr. Chairman, as a result of the comments as to the length of my statement. I was attempting at one point to shorten my statement, and so I scribbled over a particular section.

Mr. CLINGER. There was no effort on your part to get rid of any information?

Mr. LIBONATI. Absolutely not, sir. Absolutely not.

Mr. CLINGER. Thank you. I think that needed to be made clear.

I would also like to ask for the record, I would like to put the GAO report on press and security clearance data from the Executive Office of the President as a part of the record at this point in time.

[The information referred to can be found in the committee files.]

Mr. CLINGER. And I would now recognize the gentleman from Illinois, Mr. Flanagan, for 5 minutes.

Mr. FLANAGAN. Thank you, Mr. Chairman.

It is a grand practice in this place to shoot the messenger, and you only had a statement that you couldn't get cleared through the White House, and you had some informal remarks, and that becomes a formal statement and something that should have been rendered. It wasn't rendered, and then redacted in front of you, and you are obviously of evil motive, and it is good we caught you when we did.

And I'm glad we have your remarks, because for those of you who have forgotten, most statements are about this thick and prepared mostly for self-gratuitous reasons, and short remarks are given in the tiny amount of time you are given to start this. And you never had the whole statement, you just had some remarks

that you were giving, and you made the colossal blunder of being sensitive to our time constraints and redacting it and were sufficiently punished for it.

So, I wanted you to understand, if you ever come and do this again, don't worry about us.

Mr. LIBONATI. With no disrespect, I hope I am not going to be back here again, but if I am, I would do the same thing.

Mr. FLANAGAN. The great advantage of sitting down here is, you get to listen to all that went before and you are permitted the wisdom of the ages behind you and the summary question in front of you.

I think, after all the testimony we have heard from all the panels, what we have got here—and we keep talking about lists: this list, that list, your list, our list, my list. Who made it? Who did it? Does it have John Tower's name on it? Is Eleanor Roosevelt on it? What is the list?

I think the reality that we have come to here is that there is no list. The list of these FBI names that were on these cards a while ago is a list we created because we found the files. But any list that was worked off of was either destroyed by Ms. Wetzl inadvertently, she says, or cannot be recalled by Mr. Marceca and cannot be produced.

So the actual piece of paper is a reconstruction by this panel based upon the fact that certain files were found. So there is no list, per se, that we can look at.

Now, the White House says that understanding this truth and engaging in the obfuscation of the list and constant referral to the list, they say, "Well, it was your list because I remember it looks this way and it did that before I shredded it."

I believe that your testimony can be summed up so far by saying, well, it may have been our list, because we generate them regularly, but even if it were, the As and the Is are mentioned on it, and all these other things, so even if you are going to rely upon blaming us, it is obvious from the list that it couldn't have done what you wanted to do.

I don't want to make that leap of logic. I want to go back to the first question of the list, OK? How often do you generate a list for the White House?

Mr. LIBONATI. All of us have worked there at some given time. We generate so many—we generate lists upon request. We generate some lists regularly—weekly, some monthly. It's very hard—I think in my opening statement I said that routinely there are three lists we produce fairly regularly, but there are so many others that we produce, it's such a difficult question.

Mr. FLANAGAN. Can I say every Tuesday at 10 you grind out a list for these people that does this thing?

Mr. LIBONATI. Not necessarily. That's not my recollection. It's not a set time. We produce it on demand. You get to know the office's habits.

Mr. FLANAGAN. The list is produced when you are asked?

Mr. LIBONATI. Pretty much.

Mr. FLANAGAN. In the form that it is asked for?

Mr. LIBONATI. I would say—I defer to my colleagues if they agree, but I would say that is fairly accurate.

Mr. UNDERCOFFER. Oftentimes they will give us parameters, give us a list that shows X, Y, and Z, and we will produce that list.

Mr. FLANAGAN. I don't want to put a sinister flavor on this. You are responsive to the White House. They ask for information, and that request may be as often as every other day. It may be every day; maybe hourly if that is what it comes down to, or it may be never. But you have no set times that you grind out information that they look for. It is upon request.

If we are dealing with a list that does not exist anymore, yet we have recreated to the point from the list of files—do you keep a log someplace of when you have created lists at the request of the White House?

Mr. UNDERCOFFER. No, we do not.

Mr. LIBONATI. No, we do not, because we are giving back to them information they have given to us. To us, again I described it earlier, it's almost like we have a file cabinet of theirs in our office, and they come in and they use that space. We give back to them information we have received from them, so we don't log it in. Plus it is so routine.

Mr. COLE. We now do.

Mr. LIBONATI. We now do, but we hadn't in the past.

Mr. FLANAGAN. When these lists come through, there is not an "as of" date on them? There is no way to indicate the timeliness of this list?

Mr. UNDERCOFFER. No, no, each list, when it is generated the computer puts a time and date stamp on it.

Mr. FLANAGAN. But you don't have a log of those specific generations?

Mr. LIBONATI. No.

Mr. UNDERCOFFER. No.

Mr. LIBONATI. No, there is a batch run date on the list.

Mr. FLANAGAN. I'm going to ask kind of a hard question here because we have got 80-something, if I remember correctly, that are still active currently of the 400, and as of the day that the Clintons moved in, there were several hundred that were inactive already.

Mr. LIBONATI. Yes, sir.

Mr. FLANAGAN. And there are eight mistakes in here which you make no bones about. There are 8 mistakes out of 400-and-some. And apart from the fact that we were asked to go to the incredible leap of logic that someone of Mr. Marceca's caliber is to think that Marlin Fitzwater is an intern, is it possible for you to recreate that list?

Mr. LIBONATI. Recreate the list of 476?

Mr. FLANAGAN. Right, so you could help us find a time of when that list might be done? Because the—remember, the list we are working off of is one that we have made from the files.

Mr. LIBONATI. If I understand your question, I think I am going to defer, but we can get into timeframes perhaps based on, as I mentioned, there was one employee that wasn't hired until after July.

Mr. FLANAGAN. Are there enough clues in the file that you could point and say if there was a list, and if we did it, it had to be have been generated during this time?

Mr. LIBONATI. I will defer to Mr. Undercoffer.

Mr. UNDERCOFFER. Well, in my summaries, I've only been able to definitively state that on definite dates, August 7, January 20, May 2, July 8, any list that we would have created January 20, 1993, for example, any list we would have created would have shown 286 of those individuals—

Mr. FLANAGAN. I don't want to cut you off midtestimony, but Mr. Marceca says he can't. Furthermore, there are "A's" and "I's" on there, and even if he does remember it, the "I's", he thought, were interns. Anyone with a third-grade education would understand what you are saying and would lead you to an inextricable conclusion.

But the answer still is he says he doesn't remember, I don't remember if that was on there or not, which intimates he didn't remember if it was your list or not, because he wants it very much to be your list because Ms. Wetzl destroyed it because it was old and it was in the vault.

Let's go that one more question. Assume that it is your list, and from the number of files that are there, their character and shape, what is on it, the fact that you only keep them for 8 years, and others would have been removed after that, there are enough clues just contained in that list of 400-some-odd names that can you come to a bracketed date of when you may have generated such a list, if indeed you did?

Mr. LIBONATI. I think we could tell you some of the parameters in terms of their past. We know that. We can tell you their business employer, where if most, not all, of them were employed by. We can tell you those things. But in terms of the time period, again I don't think we have that capability. I don't think we could do that.

Mr. CLINGER. The gentleman's time has expired.

Mr. FLANAGAN. Thank you, Mr. Chairman.

Mr. CLINGER. The Chair now recognizes the gentleman from Pennsylvania, Mr. Holden, for 5 minutes.

Mr. HOLDEN. Thank you, Mr. Chairman. I apologize for arriving at such a late hour, and I do not have any questions or comments I'd like to make at this time.

Mr. CLINGER. We're not going to have another round of questions. You may ask unanimous consent requests.

Mr. HORN. Mr. Chairman, if I might, I'd like a unanimous consent request for 5 minutes to ask one question, and I'll yield the rest of my time, if any, to my dear colleague from Chicago.

Mr. CLINGER. Is there objection?

Without objection, so ordered.

Mr. HORN. Mr. Cole, this is directed to you, and I'm going to preface it with a statement. Lawyers have a rule that allows a person's statements to be used in court if the statements were made at a time when the person was in the midst of a very exciting moment. I'd imagine that during the week of June 6th last month when the story broke about the FBI files being ordered on former Bush and Reagan appointees, Mr. Livingstone was pretty nervous and pretty anxious. So his behavior that week, or what we know of it, could be enlightening as to what was really going through his mind.

Now, I have from the various records we have acquired from the White House a call slip that is addressed to you and says you were called by Craig, the attached was released today; also he wanted to talk about a case. And this is June 7, 3:28 p.m. So I read in your deposition on page 37 that during the week of June 6, Livingstone left a number of messages for you trying to get in touch with you. In fact, he even went to the trouble of leaving a copy of his lawyer's press release on your desk, asking to you call him.

If I remember correctly, his lawyer wrote in a press release that files were ordered because of a problem with the Secret Service list. Now, we know after today's presentation that that couldn't be true. And I just wondered if you could give us a feeling for what happened that day in relation to you and your communications with Mr. Livingstone on the matter of the list. Can you give us a feel for that? What was he saying to you?

Mr. COLE. Well, I went to see Mr. Livingstone, and he did not want to discuss anything inside of his office. He spoke in the hallway outside of his office. We briefly discussed the case. And basically he asked me if I saw—without referring to any notes, going from memory right now—he asked me if I saw the press release that he left for me concerning the Billy Dale files. I said that I did, and he didn't want to blame the Secret Service, that it wasn't our fault. They had the right stuff, they used the wrong list, they don't know what happened, and that is basically what the conversation was about.

Mr. HORN. And did you say anything such as it obviously wasn't the Secret Service?

Mr. COLE. I just told him, well, you can't blame us.

Mr. HORN. And that ended, essentially, the one conversation that day after all the call slips and notices and all the rest?

Mr. COLE. Yes, yes.

Mr. HORN. And you would say he was pretty agitated, would you?

Mr. COLE. The other thing, he indicated to me he was \$80,000 in the hole with lawyer fees. He was somewhat concerned.

Mr. HORN. Did he think his office was bugged, or could people just hear everything going on in his office?

Mr. COLE. I asked him if he thought his office was bugged, and he indicated to me that he just didn't think it was safe to talk in his office.

Mr. HORN. So he left open the question of whether it was bugged or not?

Mr. COLE. That is my imagination, I guess. I don't know.

Mr. HORN. I yield the rest of my time to the gentleman from Illinois, Mr. Flanagan.

Mr. FLANAGAN. I thank my friend from California.

Did you ever—when you make these lists for the White House, did you ever make them to the certain point in the alphabet; ever stop and they say, we only want A through H today?

Mr. UNDERCOFFER. No, no, we don't.

Mr. LIBONATI. I don't recall doing that. I guess we could.

Mr. UNDERCOFFER. We could if we were asked, but—

Mr. LIBONATI. I don't recall being asked that. I don't ever.

Mr. FLANAGAN. Do you ever generate any list of any kind ever for the White House that doesn't have A and Is on it? Do you do that without the active or inactive demarcation?

Mr. LIBONATI. Well, again, yes—I'll let him start.

Mr. UNDERCOFFER. A list will either have I or A or inactive or active next to the name, or it could begin with the header all—

Mr. FLANAGAN. All these are inactive?

Mr. UNDERCOFFER. Exactly. All of these are employees of—

Mr. FLANAGAN. How do you mark them that way?

Mr. LIBONATI. In some fashion, whether it is on the top cover sheets, or whether it is A and I, or next to each and every name. If it is a list—pass holder list in some fashion, it would normally indicate status.

Mr. FLANAGAN. Even if Mr. Marceca had a list from you generated when Polk was President, it's going to say these folks are active or these people are inactive, period?

Mr. UNDERCOFFER. That's correct.

Mr. LIBONATI. That's correct.

Mr. FLANAGAN. So if he doesn't know whether they are active or inactive, or if we are willing to go to the extraordinary leap of logic that he thought Marlin Fitzwater was an intern, it is still, looking him in the eye—I am not asking to you divulge in the files, but aren't the files of such a character that you would be able to determine immediately that Marlin Fitzwater is not an intern? Without saying anything or giving an example, are not the files of such a quality that you could look at them and anyone with a modicum of intelligence could say, I am not looking at an intern's file?

Mr. COLE. I mean, the truth is I don't know what list Marceca was looking at.

Mr. FLANAGAN. He was looking at a list that had Fitzwater's name. He had Fitzwater's file. Look—

Mr. LIBONATI. You are referring to the file?

Mr. FLANAGAN. Yes, I'm sorry. Could you possibly open the cover of that file and after 2 minutes looking at it say, well, this is an intern, or continued to assume it was an intern?

Mr. COLE. I mean, I don't know. I really can't answer that.

Mr. LIBONATI. I couldn't answer that.

Mr. FLANAGAN. OK. I understand that.

Mr. HORN. Will the gentleman yield?

Mr. FLANAGAN. Yes.

Mr. HORN. If in the file is the personnel survey, which gives birthdays and age, it seems to me if you have got a 50-year, 60-year-old press secretary, he isn't an intern; is that not correct?

Mr. LIBONATI. I guess if you are asking me if I would make that judgment, perhaps. I don't know what judgment Mr. Marceca makes.

Mr. HORN. True, but the normal rational person would make that judgment. Now, I'm not saying who is in that category or who isn't, but you open a file, and every personnel file I know, and I have been cleared for top secret probably four times, and you have got an extensive life history there of jobs and everything else, how do you conclude it is an intern?

Mr. CLINGER. The gentleman's time has expired.

Mr. FLANAGAN. Mr. Chairman, if I may ask unanimous consent for one question.

Mr. CLINGER. The gentleman may ask it.

Mr. FLANAGAN. This document that Mr. Kanjorski referred to about a meeting, head of the Secret Service, where solutions were sought and other things were done here. Just in passing, three-quarters of the way down it appears that they were going to put—the White House was going to direct to be put into the record system Howdy Doody to see if it spit out anyplace. Was that ever done?

Mr. UNDERCOFFER. No.

Mr. FLANAGAN. It says it right here.

Mr. UNDERCOFFER. Not to my knowledge.

Mr. FLANAGAN. Thank you, Mr. Chairman.

Mr. CLINGER. Let the record show that probably there was no computer printout of White House employees during President Polk's administration.

And I now recognize the gentleman from Connecticut.

Mr. SHAYS. Do you want to go first?

Mr. CLINGER. Will the gentleman yield to the gentleman?

Mr. SHAYS. Yes, I would like to have my 5 minutes. I am happy to yield to the gentleman, Mr. Chrysler.

Mr. CHRYSLER. Thank you.

Mr. Kennedy was requesting that Craig Livingstone be given access to sensitive compartmented information. Is that above a top security clearance?

Mr. COLE. Once again, the security clearance issues were not of concern to the Secret Service. So you would have to direct that with NSC, CIA and the White House to determine what that actually means in the White House.

Mr. CHRYSLER. Is the Secret Service notified or made aware that a clearance change is being requested for White House staff?

Mr. LIBONATI. No, sir. We have absolutely no role in security clearances. We wouldn't know who had them or what those clearances were.

Mr. CHRYSLER. So you don't know if Craig Livingstone had ever received his final White House clearance?

Mr. LIBONATI. If you are talking about security clearance for documents, we would not know that.

Mr. CHRYSLER. And then can you explain when the Secret Service is notified of a White House employee status for permanent access to the White House, what the Secret Service's role is in the process of that employee obtaining a permanent White House pass?

Mr. LIBONATI. Basically we receive a request. When the White House determines that they want to give a pass to an—make somebody an active pass holder, we are on the back end of that process. They initiate background check, and they review it for suitability. And as the process goes, it gets to us toward the end. We review it for physical security information only. If we determine there is no physical security risk, we basically say, OK. And at that direction, we will issue a pass, only at their direction.

Mr. CHRYSLER. Thank you very much. And I yield back my time to the gentleman from Connecticut for his time.

Mr. SHAYS. Thank you.

Mr. Libonati, I was here in the beginning, and I was fascinated by the exchange that was taking place, concern that you were sharing information that you shouldn't share without it being put in writing. And I just want you to know that I served on a committee where we went after—and I am Republican—we went after a Republican administration for over a year with Mr. Pierce and what happened with HUD, and I worked with individuals on both sides of the aisle. We didn't abide by the 5-minute rule, and there were sometimes people who came and testified and we wanted to get the information, and we didn't always have the statement.

What fascinates me is the White House has accused you all of a list being given out that resulted in them having improper names. They have accused you of doing that, your office. You are not able to go out to the press and have a press conference; is that correct?

Mr. LIBONATI. No, we cannot.

Mr. SHAYS. You are not allowed to selectively leak information, can you?

Mr. LIBONATI. No, we cannot.

Mr. SHAYS. This is really your first forum for telling the facts and to be cross examined; is that correct?

Mr. LIBONATI. If I could say, the second forum. We testified at the Senate Judiciary side.

Mr. SHAYS. But basically under this format. And the question I wanted to ask is if you had had a so-called formal document, a testimony that was formal, who would get to see that document?

Mr. LIBONATI. The process there is that it would go—we forward it to Treasury Department. It would go to the Treasury Department, from there to OMB, and from OMB it would be tasked out to other agencies.

Mr. SHAYS. It would go to the Treasury Department, controlled by White House, and OMB, directly controlled by the White House. So basically the White House would have been able to have perhaps seen your testimony and pass judgment on it; is that correct?

Mr. LIBONATI. Sir, I hope I can make this statement. I didn't choose not to create one for that reason.

Mr. SHAYS. I don't want to get you in trouble, but I am telling you this. But if you had to go and submit your statement before OMB and have the White House synthesize it, look at it, and pass judgment on it, I would be outraged, absolutely outraged. And I realize you are just giving us a briefing, and I interrupted you, and I understand you are saying you didn't do that intentionally. But I would have a big problem if I thought the White House was able to review your statement before we got to see it, and I just want that on the record.

There are three basic allegations. We are trying to get an understanding of why the White House would have wanted these FBI files on people who no longer work there. There are basically three issues, three kinds of suggestions of why. One is they simply wanted information that they could sell to others, pass on to others, that would damage Republicans. That may be valid, that may not be valid.

Another one was that accusations that the White House had people involved in drugs, and they wanted information to see if there were people in former administrations that were involved in drugs.

And a third accusation is that they may have wanted these files to see if there were relationships of people who worked in the White House to people—now to people—excuse me, people who are presently civil servants working in the White House, doing the elevator, doing the cooking, whatever, who had relationships to people who have been working at the White House who were political appointees.

Those are the three basic suggestions. We haven't come up with any other alternatives, and we are just trying to get to the bottom of it. And I just want to say to you, you all have had to take a gigantic hit. You had to suck it in. And when you started to give your testimony, just give us the basic facts so we could begin to cross examine you, you were interrupted more than once.

And I just want to say to you as someone who had been on that side in the minority, we didn't do that. I'm sorry they did it to you. And your testimony has been helpful. It's on the record. And we just have to go from one step to another. I'm just very grateful you gave your testimony, and I'm grateful you didn't have to have it checked out first with the White House.

Mr. CLINGER. I thank the gentleman. He yields backs the balance of his time.

This brings to a close this committee's third hearing on the FBI files matter. The White House's original explanation, its excuse really, was that a faulty Secret Service list was responsible for his wrongful acquisition of these thousands of files. A computer glitch was blamed for producing this list, but the White House has provided no evidence, no list, no explanation to substantiate those claims and to justify its what I can only characterize as scapegoating of the Secret Service for this very serious problem.

There has been no adequate explanation for how Mr. Marceca could acquire a list with these specific 476 names on it. Most of them are inactive and, as we have learned today, clearly denoted such. And I think that is a point that clearly needs to be underlined again and again, that there had to be an indication on whatever list that was gotten that they were either active or inactive, and even the master list shows I and A. So there is not any justification for saying that he didn't know that these were not presently employed at the White House.

The question is was this an innocent mistake, as the White House would have us believe, or is there some other reason for it? As Mr. Shays indicated, there have been a number of suggestions as to why this information was sought.

But I think for the background of Mr. Livingstone and Mr. Marceca as political operatives—in fact, I could characterize them as hacks—one might be willing to give the White House the benefit of the doubt. But given their background—and we have now pretty well fleshed that out—of substantial countercampaign activities and the like, given the wholly inadequate explanation that the problem was the fault of the Secret Service list.

And that is why I wanted to have you gentlemen here, because I think it needed to be made clear how you operate, and the very

meticulous way in which you compile these lists, and the scrupulous way that you maintain this, they are up-to-date and current.

So one cannot help but remain skeptical of the so-called "innocent mistake" argument. Instead, it is at least plausible to suspect that this is all, in fact, a cover story, and it is the job of this committee, as Mr. Shays indicated, to press ahead to determine what exactly happened here and why it happened.

We have had a lot of smoke, I must say, blown by the White House as it, frankly, has war-roomed this issue over the past 6 weeks or so, but at the end of the day it is clear that the Secret Service cannot be held responsible for the actions of this administration's handpicked employees in the Office of Personnel Security. They were incompetent at best and inappropriately placed in these positions. That is not and never was the fault of the Secret Service, nor was the White House's acquisition of these 476 files.

Let me just say, also, that we are grateful for your testimony here today, and I would indicate that the testimony you gave was very straightforward, and in no way was it pejorative. In no way was it condemnatory of anybody. I think it would have passed muster but for the constraints of timing that we had. We asked you to come forward at the time you did and present us with a briefing. I thought it was very thorough and fully explained the procedures and processes by which you operate and by which you conduct these clearances and produce these lists.

I know that all three of you have had very little sleep over the last day or so. I know that have you worked very hard to get ready for this hearing. We wanted to give you an opportunity, perhaps because you didn't really have a full opportunity in the other body, to really spell out what the procedures and functions of the Secret Service were, and I wanted to give you that opportunity so that it would be very clear that at least the source of whatever list—and I think it has been made clear that we may never find out—but the source was not the Secret Service list and could not have been.

This has been, I think, an excellent hearing. We've had a lot of testimony about a number of different things. I think the question—you have indicated the question of drug use particularly is a partial concern of yours, but only as it affects the security of the President of the United States. But I think there may, however, be many other reasons why that would be inappropriate for personnel in the White House, whether for blackmail purposes, whether for just productivity purposes. I mean, there are a number of other reasons why I think evidence of present-day drug use, not in the White House but anywhere, outside the White House, would be considered inappropriate for a White House employee. So that is an issue that I think we need to explore.

But I want to again thank you all very much for appearing here today and for your very forthright and very helpful testimony. And I hope can you all go home and get some sleep. The committee stands adjourned.

[Whereupon, at 2:50 p.m., the committee was adjourned.]

